



WEB COPY



W.A No.1248 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.A No.1248 of 2022
and C.M.P.No.7892 of 2022

Selvarani

.. Appellant

-VS-

- 1 The District Collector
Inspector Of Panchayat Office Of The
Collectorate Perambalur - 621212.
- 2 The Block Development Officer
Panchayat Union Veppur.
- 3 The President
Panchayat Union Pennakonam Perambalur.
- 4 Rani
Panchayat Union Perambalur.

.. Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 13.12.2021 in W.P.No.22839 of 2021.

For the Appellant : Mr.V.Raghavachari
Senior Counsel
for M/s.V.Srimathi



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For the Respondents : Mr.C.Kathiravan
State Government Pleader
-for RR 1 and 2
Mr.C.Panneer Selvam - for R4
R3 - No appearance

* * * * *

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.V.Raghavachari, learned Senior Counsel for the appellant, Mr.C.Kathiravan, learned State Government Pleader for the respondents 1 and 2 and Mr.C.Panneer Selvam, learned counsel for the fourth respondent.

2. The contention of the appellant is that the President is disqualified and in absence of the President, the Vice President shall perform the functions of the President. The Vice President should sign the cheques along with the other member. However, the powers of the Vice President are now given to the Block Development Officer and another member, ignoring the Vice President. According to the learned Senior Counsel, the same is against the democratic principles of manning the institution.



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3. Learned State Government Pleader appearing for the first and second respondents submits that now only three months tenure remains.

4. In view of the same, the first respondent / District Collector shall consider the case of the appellant and pass appropriate orders. The appellant may give an application to the District Collector for permitting him to sign the cheques, which act is to be performed by the President, who is now disqualified. On receipt of such application, the District Collector shall take a decision preferably within 15 days from the date of receipt of such application.

The writ appeal is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

02.04.2024

Index : Yes/No

Neutral Citation : Yes/No

kst

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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(kst)

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