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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.9561 of 2024

Tamil Nadu All Village Panchayat
Presidents Welfare Association,
Represented by its State President
S.M. Muniyandi
No.16/24, South Boag Road,
T. Nagar, Chennai 600 017 ...Petitioner

Vs

1. Government of Tamil Nadu
Represented by its Principal Secretary,
Rural Development and Panchayatraj,
Fort St. George, Chennai 600 009.

2. The Director
Rural Development and Panchayat Raj Department,
PanagalMaligai, Saidapet,
Chennai 600 015. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 and 2 to consider the representation of the petitioner Association dated 14.02.2023 and 20.09.2023 and accordingly direct the Respondents to lift the ban placed on installation of various kinds street lights including 1. Mini

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Highmast street lights 2) solar Led HighMast Street Lights in the Village Panchayats vide proceedings of the second respondent in Na.Ka.No.36742/2021/tatara3.2 dated 07.01.2022 and accordingly permit the Village Panchayat to install the various street lights including 1. Mini Highmast Street lights 2)Solar Led Highmast street lights and pass orders.

For Petitioner : Mr.Dakshayani Reddy
For Respondents : Mr.A.M. Ayya Durai
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed seeking a direction to the respondents to consider the representation of the petitioner's Association dated 14.02.2023 and 20.09.2023

3. The case of the petitioner is that the the petitioner/Association consists of various presidents of the Village Panchayats in the State of Tamil Nadu. The grievance of the petitioner/Association is that the second

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respondent vide order dated 07.01.2022 has placed embargo on all the Village Panchayats from putting up further installation of any street lights including solar lights, Mini Highmast light in any of the village. The said order was passed on the wrong assumption that the Village panchayats in the state are not in a position to pay the TANGEDCO Bills. But the fact remains that the Panchayats are self sufficient to cater to their essential needs. However, the second respondent considering the fact that these lights are very much necessary for the villagers passed an order on 28.04.2022 and granted relaxation to the embargo placed vide proceedings dated 07.01.2022. Thereafter, the petitioner Association has given a representation to the first and second respondents on 14.02.2023 and 20.09.2023 to lift the ban placed on installation of street light to the villagers. However, the same was not considered, which has given rise to this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first and second respondents to consider the petitioner's representation dated 14.02.2023 and 20.09.2023 and pass orders.

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5. The learned Government Advocate appearing for the respondents submits that the representation of the petitioner will be considered on merits and in accordance with law.

6. Considering the facts of the case, this Court without expressing any opinion on the merits of the case directs the first and second respondents to consider the representation of the petitioner dated 14.02.2023 and 20.09.2023 and pass orders within a period of five months from the date of receipt of a copy of this Order. This writ petition is disposed of in the above terms. No costs.

29.04.2024

Index:Yes/No
Speaking order/Non-speaking order
smn

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To
1. Government of Tamil Nadu
Represented by its Principal Secretary,
Rural Development and Panchayatraj,
Fort St. George, Chennai 600 009.

2. The Director
Rural Development and Panchayat Raj Department,
PanagalMaligai, Saidapet,
Chennai 600 015.

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V.BHAVANI SUBBAROYAN,J.

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