



W.P.No. 19809 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.19809 of 2024

M. Subramaniyan

.. Petitioner

Versus

1. The District Collector,
Dharmapuri,
Dharmapuri District.

2. The Assistant Director (Panchayat)
The Rural Development & Panchayat Raj Department,
Dharmapuri,
Dharmapuri District.

3. The Block Development Officer,
Nallapalli, Dharmapuri District.

4. Mr. Vijaya Raghavan

5. R.Markandan

...Respondents

Prayer: This petition is filed under article 226 of constitution of India to issue a writ of Mandamus directing the first respondent to



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consider the petitioner's representation dated 12.06.2024 and the Resolution dated 12.06.2024 for authorizing the 5th respondent to sign in cheques along with the petitioner and pass orders.

For Petitioner : Mr.A. Ilayaperumal

For Respondents 1 and 2 : Mr. N. Naveen Kumar
Government Advocate

For Respondent 3 : Mr.M. Venkateswaran
Special Government Pleader

ORDER

This petition is filed seeking a direction to the first respondent to consider the petitioner's representation dated 12.06.2024 and the Resolution dated 12.06.2024 for authorizing the 5th respondent to sign in cheques along with the petitioner.

2. The facts of the case is that the petitioner and the 4th respondent are the President and Ward Member of Palayam Village Panchayat respectively. The sum and substance of the case is that the 4th respondent herein is not signing in the resolution relating to the Welfare schemes



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provided by both Central and State Government, due to which the petitioner was unable to discharge his duties. Hence, the petitioner gave a representation to the official respondents on 12.04.2021 and 17.05.2021, but the same was not considered, due to which the petitioner has filed W.P.13602 of 2021 and this Court vide order dated 02.07.2021 disposed of the writ petition with a direction to the first respondent to consider the representation of the petitioner and also to take action against the 4th respondent for his refusal to sign in cheques and authorize the petitioner to sign in the cheques along with any other members of the Panchayat. Pursuant to which the first respondent vide proceedings in Na.Ka.No.2049/2021/A2 dated 17.09.2021 passed an order, wherein it was stated that the 3rd respondent herein can sign in the cheques along with the petitioner. Thereafter, called the 4th respondent for an enquiry and accepted the explanations given by the 4th respondent and permitted him to sign in the cheques. After that, the 4th respondent signed in the cheques, however, from the first week of June he refused to sign in the cheques, for which a resolution was passed on 21.06.2023 and thereafter, he continued to sign in the cheques till April 2024. From the month of May 2024, the 4th respondent has refused to sign in the cheques and to



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co-operate with all other proceedings taken by the Panchayat, due to which the panchayat has passed a resolution on 12.06.2024 and taken a decision that the 5th respondent who is the member of 7th Ward Member of Village panchayat is nominated for signing in the cheques through digital signatures card. Immediately the petitioner also given a representation on 12.06.2024 to implement the said resolution. However, there was no progress till date. Hence, this petition.

3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the first respondent to consider the petitioner's representation and pass orders.

4. The learned Government Advocate appearing for the first respondent submitted that they will consider the case of the petitioner and take action in the manner known to law.

5. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the first respondent to consider the



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petitioner's representation dated 12.06.2024 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

16.07.2024

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn

To

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The Rural Development & Panchayat Raj Department,
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V.BHAVANI SUBBAROYAN, J.

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