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W.P.No.25887 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2024

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.25887 of 2024 and

W.M.P.No28250 of 2024

Kalpana

... Petitioner

-VS-

1. The Inspector of Panchayats / District Collector,
Collectorate Building,
Vellore District.

2. The State Level Scrutiny Committee,
Rep. by the Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009.

3. The District Level Vigilance Committee,
Rep. by the District Collector,
Collectorate Buildings,
Sathuvacharry, Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, for the records relating to the order passed by the 1st respondent in letter bearing Ref.No Na.Ka.No. A4/1027/2022 dated 10.08.2024 pursuant to gazette publication dated 06.08.2024 and quash the same and direct the 2nd respondent to consider and dispose petitioner's appeal dated 24.02.2024 filed pursuant to the order of this Court dated 11.01.2024 passed in WP.No. 11308 of 2022 against the order of the 3rd respondent dated 04.04.2022 in Na.Ka.No.K5/3396/2021.



W.P.No.258 of 2024

For Petitioner : M/s.S.P.Arthi
For Respondents : Mr.K.Karthik Jagannath
Govt. Advocate

ORDER

(By D.Krishnakumar,J.,)

This Writ Petition has been filed, challenging the letter bearing Ref.No Na.Ka.No. A4/1027/2022 dated 10.08.2024 pursuant to gazette publication dated 06.08.2024 and to direct the 2nd respondent to consider and dispose petitioner's appeal dated 24.02.2024 filed pursuant to the order of this Court dated 11.01.2024 passed in WP.No. 11308 of 2022 against the order of the 3rd respondent dated 04.04.2022 in Na.Ka.No.K5/3396/2021.

2. The Writ Petitioner had earlier filed W.P.No.11308 of 2022, challenging the order dated 04.04.2022 of the 2nd respondent, vide which, the community certificate of the petitioner was cancelled based on the order passed by the District Level Committee and against cancellation of the certificate, an appeal was preferred before the 3rd respondent therein. The petitioner also filed Review Application No.176 of 2024 before this Court, which was disposed of as early as on 15.10.2024. In the meantime, the order dated 10.08.2024, impugned in this Writ Petition has been passed by



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disqualifying the petitioner from the post of Panchayat President. In the Review

Application No.176 of 2024, this Court passed the following order:

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“3. Since the order of the DLVC is final and no appeal is provided before the SLSC, the observation that the petitioner is permitted to file an appeal before the SLSC as against the order of the DLVC, is not maintainable. Therefore, the observation made by us in the order dated 11.01.2024 in W.P.No.11308 of 2022 stands modified, by permitting the petitioner to challenge the order passed by the DLVC by filing a writ petition before this Court. Therefore, it is made clear that the petitioner is granted liberty to file a writ petition challenging the order passed by the DLVC. The respondents shall maintain status quo as regards the community status of the petitioner, for a period of three weeks from the date of receipt of a copy of this order.”

3. As on date, three weeks' time expired and the petitioner has not filed any petition against the order dated 04.04.2022. Therefore, the present Writ Petition cannot be entertained by this Court. Hence, this Writ Petition is dismissed. If at all the petitioner chooses to file any petition against the order dated 04.04.2022 and the consequential order dated 16.06.2023 passed by the RDO and obtains any order, it is open to her to approach the 1st respondent against her disqualification. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.,]

[P.B.B.,J.,]

12.11.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

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W.P.No.25887 of 2024

D.KRISHNAKUMAR,J.,

AND

P.B.BALAJI,J.,

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To:

1. The Inspector of Panchayats / District Collector,
Collectorate Building,
Vellore District.
2. The Secretary to Government,
State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai-600 009.
3. The District Collector,
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