



W.P.No.29040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

**THE HON'BLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

W.P.No.29040 of 2024
and W.M.P.No.31684 of 2024

1. J.Pannerselvam
2. Dr.P.Thambidurai

... Petitioners

-VS-

1. The Principal Secretary to Government,
(Rural Development and Panchayat Raj
Department), Fort St. George, Chennai 600 009.
2. The Director,
Rural Development and Panchayat Raj
Department, Panagal Maaligai,
Saidapet, Chennai 600 015.
3. The District Collector,
Ariyalur District,
Ariyalur 621 704.
4. The Revenue Divisional Officer (RDO),
Udaiyarpalaym, Ariyalur District 621 804.



W.P.No.29040 of 2024

5. The Assistant Director (Panchayats),
Ariyalur District Collectorate Office,
Ariyalur 621 704.

6. The Block Development Officer,
Panchayat Union Office, Jayankondam,
Ariyalur District 621 802.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd respondent to bifurcate the Thanthanur Panchayat into two panchayats namely, 1) Thathanur Melur Panchayat and 2) Thathanur Keelaveli Panchayat by considering the recommendation made by the BDO vide No.Na.Ka.Aa2/2073/2015 dated 21.01.2016 and on the representation submitted by the public dated 12.05.2024 as directed by this Court in its order dated 05.04.2024 in W.P.No.5757 of 2024, and by considering the para 7 in G.O.Ms.No.147, Rural Development Department, dated 21.07.1999.

For Petitioners : Dr.r.Sampath Kumar

For Respondents : Mr.A.Edwin Prabakar
State Govt. Pleader
for RR 1 to 5

: Mr.M.Habeeb Rahman
Govt. Advocate for R-6

* * * * *

ORDER



W.P.No.29040 of 2024

(Order of the Court was made by the Hon'ble Chief Justice)

WEB COPY

This is the third petition being filed by petitioners, the first two having been disposed with a direction to petitioners to approach the appropriate authorities.

2. Counsel for petitioners states that after the order dated 05.04.2024 was passed disposing the second petition that was filed by petitioners, petitioners have made a representation dated 12.05.2024 to which there is no response.

3. Shri Prabakar states that after the Tamil Nadu Delimitation Commission Act, 2017 came into force with effect from 21.07.2017, a Delimitation Commission has been constituted and it is this Commission which will have jurisdiction to consider whether a panchayat has to be bifurcated. Mr.Prabakar states the representation has been given to the Collector who has no jurisdiction to act on the representation.

4. On the suggestion made by the Court, Mr.Prabakar stated that he



W.P.No.29040 of 2024

shall immediately advise the Collector to forward the representation of petitioners to the Delimitation Commission under advice to petitioners.

Once the papers are received by the Delimitation Commission, it may endeavour to dispose of the representation in accordance with law within six months.

Writ petition is disposed of. There shall be no order as to costs. W.M.P.No.31684 of 2024 filed to permit the petitioners to join together and file a single writ petition is allowed.

(K.R.SHRIRAM., CJ.)

**(SENTHILKUMAR RAMAMOORTHY,
J.)**

19.10.2024

Index : Yes/No
NC : Yes/No

sra



W.P.No.29040 of 2024

WEB COPY

To:

1. The Principal Secretary to Government,
(Rural Development and Panchayat Raj
Department), Fort St. George, Chennai 600 009.
2. The Director,
Rural Development and Panchayat Raj
Department, Panagal Maaligai,
Saidapet, Chennai 600 015.
3. The District Collector,
Ariyalur District,
Ariyalur 621 704.
4. The Revenue Divisional Officer (RDO),
Udaiyarpalaym, Ariyalur District 621 804.
5. The Assistant Director (Panchayats),
Ariyalur District Collectorate Office,
Ariyalur 621 704.
6. The Block Development Officer,
Panchayat Union Office, Jayankondam,
Ariyalur District 621 802.



WEB COPY



W.P.No.29040 of 2024

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

W.P.No.29040 of 2024

19.10.2024