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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

WP No.24434 of 2014

Vanthavas Rice Mill Owners Association
No.82, Accharapakkam Road,
Vandavasi-604408.
Represented by its President V.Paneer Selvam. ... Petitioner

versus

1.State of Tamil Nadu
Represented by Principal Secretary to the Government,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-600009.

2.District Collector,
Collectorate,
Tiruvannamalai District- 606604.

3.Commissioner
Vanthavasi Panchayat Union,
Vanthavasi

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4.Commissioner
Tellar Panchayat Union
Tellar
Vanthavasi -604046.

5.Commissioner
Pernamallur Panchayat Union
Pernamallur
Vanthavsi -604503. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorarified Mandamus, calling for the records of the second respondent comprised in impugned notification Ka.No:7918/A5/2012/U.E (U), dated 31.01.2013 and quash the same as illegal, arbitrary, unconstitutional and ultra virus the Tamil Nadu Panchayats Act, 1994 and consequently direct the 3,4,5 respondents to refund the sums collected, pursuant to or under the authority of the impugned order.

For the Petitioner :Mr.Rahul Balaji

For the Respondents :Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 and 2
Mr.R.A.S.Senthilvel
for respondents 4 and 5
No appearance -third respondent

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ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition is filed challenging the impugned notification Ka.No:7918/A5/2012/U.E (U), dated 31.01.2013 issued by the second respondent.

2. Learned State Government Pleader appearing for the respondents 1 and 2 submits now that the Tamil Nadu Panchayat (Sixth Amendment) Act, 2004 had come into force with effect from 22.02.2024, amending Section 159 of the Tamil Nadu Panchayat Act, 1994, which deals with granting of trade license, the prayer as for by the petitioner has become infructuous.

3. In view of the above submissions made by the learned State Government Pleader, nothing further survives for adjudication in the writ petition. Consequently, the writ petition stands dismissed as infructuous. The consequential demand that has been raised by the respondent panchayat cannot be entertained by this court. It is for the individual, if aggrieved by

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the said demand, to agitate the same before the appropriate forum, if so advised. Consequently, MP No.2 of 2014 is closed.

(D.K.K., ACJ.) (K.B., J.)
25.07.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn

To

1.The Principal Secretary to the Government,
State of Tamil Nadu
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-600009.

2.The District Collector,
Collectorate,
Tiruvannamalai District- 606604.

3.The Commissioner
Vanthavasi Panchayat Union,
Vanthavasi

4.The Commissioner
Tellar Panchayat Union
Tellar
Vanthavasi -604046.

5.The Commissioner
Pernamallur Panchayat Union
Pernamallur
Vanthavsi -604503.

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THE HON'BLE ACTING CHIEF JUSTICE
and
K.KUMARESH BABU,J.

(mrn)

WP No.24434 of 2014

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