



W.P.(MD)No.2528 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED **06.02.2024**

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

W.P(MD)No.2528 of 2024

and

W.M.P(MD)No.2518 & 2519 of 2024

Subbulakshmi

...Petitioner

/Vs./

1.The Commissioner,
Theni Allinagaram Municipality,
Theni Allinagaram,
Theni District.

2.The Chairman,
Theni Allinagaram Municipality,
Theni Allinagaram,
Theni District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned notice passed by the 2nd respondent notice dated 01.02.2024 and quash the same within a time stipulated by this Court.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.G.Kaleeswaran



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ORDER

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2. According to the petitioner, she was elected as a ward member of Ward No.2 in the respondent Municipality and she is doing her work for the development of the ward. While this being so, the second respondent issued the notice dated 01.02.2024, which was received by the petitioner on 03.02.2024, for conducting ordinary council meeting in the respondent Municipality on 08.02.2024.

3. The case of the petitioner is that the notice dated 01.02.2024 is violative of Rule 156 (2) of the Tamil Nadu Urban Local Bodies Rules, 2023, wherein it is stated that agenda shall be sent to all the members of the council atleast six clear days before the fixed date of the meeting. Hence, the present writ petition has been filed challenging the impugned notice.

4. The learned counsel appearing for the respondents submits that the meeting shall be conducted on the date as directed by this Court.



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5. Heard the learned counsel for the petitioner and learned counsel appearing for the respondents.

6. Considering the submission made on the side of the respondents, this Court directs the respondents to conduct the meeting on 12.02.2024. It is made clear that the persons, who are elected to a particular post in the local body, have to follow the rules and regulations and to act only on the welfare of the society and not to have any personal agenda. It is also made clear that in whatever meetings are conducted, presence of 2/3rd majority of the members is sufficient and therefore, the respondents can conduct the meeting and proceed further as per the Quorum.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

06.02.2024

NCC : Yes/No

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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TO:-

- 1.The Commissioner,
Theni Allinagaram Municipality,
Theni Allinagaram,
Theni District.
- 2.The Chairman,
Theni Allinagaram Municipality,
Theni Allinagaram,
Theni District.

Order made in
W.P(MD)No.2528 of 2024

Dated:
06.02.2024