



W.P(MD)No.18856 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18856 of 2023

1.R.Madhavan

2.V.Poomalai

... Petitioners

Vs.

1.The District Collector,
Collecorate Complex,
Madurai District,
Madurai – 20.

2.The Block Development Officer,
Alanganallur Panchayat Union,
Alanganallur – 625 501,
Madurai District.

3.Visalakshi

4.Kannadasan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take appropriate action against the 3rd and 4th respondents of Thandalai village panchayat, Alanganallur panchayat union, Madurai based on the representation dated 15.04.2023.



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For Petitioners : Mr.S.Vellaichamy

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader for R1 & R2.
No appearance for R3 & R4.

ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents 1 and 2.

2.The petitioners are members of Thandalai Panchayat. They allege that the President and Vice President of panchayat are indulging in irregularities and siphoning of panchayat funds. It is claimed that out of the six members, four are ranged against the President and Vice President. Section 205 (1)(b) of Tamil Nadu Panchayats Act, 1994 mandates the District Collector to take action, if representation in writing is received from not less than 2/3rd of sanctioned strength of village panchayat. In this case, there are totally six members. 2/3rd would be four. Since the statute states that the number of signatories should not less than 2/3rd, Section 205(1)(b) of the Act may not be attracted. Allegations have been made against the respondents 3 and 4. In the



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very nature of things, the numerical strength contemplated in Section 205(1)(b) of the Act cannot be achieved in this case. It is stated that enquiry was already conducted and the report from the Assistant Director of Panchayats has been received. If the report of the Assistant Director of Panchayats is adverse to the respondents 3 and 4, the first respondent is directed to take action as per law within a period of eight weeks from the date of receipt of a copy of this order.. The decision taken by the first respondent shall be communicated to the petitioners. I make it clear that I have not gone into the merits of the matter.

3.This writ petition is disposed of accordingly. No costs.

14.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Collecorate Complex,
Madurai District,
Madurai – 20.
- 2.The Block Development Officer,
Alanganallur Panchayat Union,
Alanganallur – 625 501,
Madurai District.



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G.R.SWAMINATHAN, J.

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