



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26530 of 2022 AND

W.M.P.(MD)No.20715 of 2022

U.Vigneshwaran

... Petitioner

Vs.

1. The District Collector,
Collectorate, Trichy District,
Trichy.

2. The Block Development Officer,
(Village Panchayat),
Andhanallur Panchayat Union,
Trichy District.

3. The Assistant Director (Panchayat),
Rural Development and Panchayat Raj Department,
Collectorate, Tiruchirappalli.

4. The Assistant Director(Auditing),
Rural Development and Panchayat Raj Department,
Collectorate, Tiruchirappalli.

5. The Tahsildar,
Srirangam Taluk, Trichy District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the 1st respondent in Se.Mu.No.A9/ 480/2022/ Vu.E. (Voo) dated 15.11.2022 and quash the same on the ground that the same is retrospective arbitrary, illegal with bias and malafide attitude, without any legal basis and



consequently directing the respondents to restore the post of President in the Malliyampathu Panchayat, Anthanallur Panchayat Union, Trichy District to the petitioner.

For Petitioner : Mr.N.R.Murugesan

For Respondents : Mr.D.Gandhiraj,
Special Government Pleader.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner was functioning as a President of Malliampathu Village Panchayat. By the impugned order dated 15.11.2022, he was removed from the post under Section 205 of the Tamil Nadu Panchayats Act 1994. I wanted to know from the learned counsel appearing for the petitioner as to why the petitioner bypassed the statutory remedy. The petitioner submitted that the impugned order is clearly in violation of principles of natural justice.

3. My attention is also drawn to the operative portion of the impugned order. It reads that the petitioner was permitted to peruse the relevant documents on 18.08.2022, 23.08.2022 and 24.08.2022 and that even thereafter he had not offered his explanation. It is seen that the petitioner had offered his explanation on 28.09.2022 and it was received



by the first respondent on 29.09.2022. Without considering the same, the impugned order of removal has been passed. On that ground, the impugned order is set aside. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

19.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

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G.R.SWAMINATHAN,J.

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