



W.P.(MD)No.28596 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.28596 of 2024

and

W.M.P.(MD)No.24256 of 2024

P.Velmurugan

... Petitioner

Vs.

1. The District Collector / Inspector of Panchayat,
Tenkasi District, Tenkasi.
2. The Assistant Director (Panchayat),
Office of the District Collector,
Tenkasi, Tenkasi District.
3. The Block Development Officer,
Melaneethinallur Panchayat Union,
Tenkasi District.
4. Shenbagakani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents more particularly the 1st respondent to consider the petitioner's representations dated 18.11.2024 for cancelling the resolution as passed by the 4th respondent.



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For Petitioner : Mr.J.Jeevin
For Respondents : Mr.D.S.Neduncheliyan (R1 & R2)
Government Advocate
Mr.R.Sureshkumar (R3)
Additional Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the first respondent to consider the petitioner's representation dated 18.11.2024 for cancelling the resolution passed by the 4th respondent, who is the President of Senthamangalam Majara Village Panchayat.

2. Considering the limited scope of the relief sought for in this writ petition, notice to the fourth respondent is dispensed with. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.



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4. The petitioner is the Vice President of Senthamangalam Majara Village Panchayat. The plight of the petitioner is that a resolution has been passed by the fourth respondent and the councillors of the said Panchayat, to remove the petitioner from the post of Vice President. The petitioner has also made a representation on 18.11.2024 to cancel the resolution passed by the fourth respondent. Since the same has not been considered, this writ petition has been filed.

5. The learned Additional Government Pleader appearing for the third respondent on instructions submits that the third respondent has already sent a report in this regard to the first respondent on 21.11.2024.

6. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.



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7. In view of the same, this Court hereby direct the first respondent to consider the petitioner's representation dated 18.11.2024 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

8. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.12.2024

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.28596 of 2024

Dated
02.12.2024