



W.P(MD)No.31106 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.31106 of 2023

and

W.M.P(MD)Nos.26656 & 26659 of 2023
& 4012 & 2429 of 2024

Sivakumar

... Petitioner

Vs.

1.The District Collector /
Inspector of Panchayat,
O/o.Collectorate Building,
Karur District.

2.The Assistant Director of Panchayat,
O/o.Collectorate Building,
Karur District.

3.The Block Development Officer,
Thanthoni Panchayat Union,
Karur District.

4.The President,
Velliyanai Panchayat,
Karur District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in Na.Ka.No.A2/3851/2023 dated 22.11.2023 and quash the same consequently directing the first respondent to give suitable instruction to allow the petitioner to operate to Cheque of the panchayat by considering the petitioner's representation dated 10.11.2023.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

Heard both sides.

2.The petitioner is the Vice President of a Village Panchayat. His cheque signing power has been taken away by invoking the power under Section 203 of the Tamil Nadu Panchayats Act. It has been held before this Court in W.P(MD)No.139 of 2013 dated 04.04.2013 that Section 203 of the Act is inapplicable in such cases. Notice was also not given. For these twin reasons, the impugned order is set aside. The matter is remitted to the file of the Inspector of Panchayats / District Collector,



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Karur. It is open to the authority to issue fresh proceedings and pass order on merits and in accordance with law.

3.With this liberty to the first respondent, this writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

13.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 15.03.2024.

To

- 1.The District Collector /
Inspector of Panchayat,
O/o.Collectorate Building,
Karur District.
- 2.The Assistant Director of Panchayat,
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Karur District.
- 3.The Block Development Officer,
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4.The President,
Velliyanai Panchayat,
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