



WEB COPY



W.P.No.4600 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.4600 of 2025

D.Senthilkumar

... Petitioner

Vs.

- 1.The Director of Town Panchayats,
Chennai – 8.
 - 2.The Inspector of Panchayats/The District Collector,
Namakkal District, Namakkal.
 - 3.The Executive Officer,
Paramathivellur Town Panchayat,
Paramathivellur, Namakkal District.
 - 4.The Assistant Director of Municipal Administrative,
Salem Region, Salem – 1.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 2 to 4 herein to consider the representation dated 26.12.2024 and reminder representation thereon and to initiate action taken within a limited time frame, under Section 40-A of the Tamil Nadu District Municipalities Act, 1920.



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For Petitioner : Mr.G.Punniakoti

For Respondents 1, 2 & 4 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 3 : Mr.E.Ranganayaki,
Additional Government Pleader

ORDER

The petitioner has filed this petition to direct the respondents 2 to 4 herein to consider the representation dated 26.12.2024 and reminder representation thereon and to initiate action taken within a limited time frame, under Section 40-A of the Tamil Nadu District Municipalities Act, 1920.

2. Since no adverse order has been passed, this writ petition is taken up for final hearing.

3. The case of the petitioner is that the petitioner is the ward councilor of the 6th ward in Paramathivellur Town Panchayat. Tmt. Lakshmi, the President of this Town Panchayat has been acting against the interests of the



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Panchayat and has been creating obstacles to the elected ward councilors from discharging these statutory function. In the circumstances the vice president of the panchayat, Thiru.M.Raja and certain such ward councilors have sent a requisition letter of 'No confidence' motion against the President, Tmt.Lakshmi with a list of charges against her. This letter has been addressed to the Executive Officer of the Town Panchayat in July 2023. The Executive Officer of the Panchayat had to approach the District Collector Namakkal and on the basis of the report of the Executive Officer, the District Collector invoked the emergency provisions of Tamil Nadu District Municipalities Act 1920, order Section 37 thereof empowering the Executive Officer to operate on the bank account of the Town Panchayat (vide Pro.Na.Ka. No. 7642/2022/P23 dated 07.01.2023) of the District Collector, Namakkal.

3.1. Challenging the said order, President Tmt.Lakshmi has filed writ petition in W.P.No.13886 of 2023 and this Court by order dated 01.06.2023 issued direction to make a representation and work out her remedy under Section 39(6) of the above act and the state Government was directed to



consider that representation and pass orders in accordance with law. It seems that the President has not made any such representation to the state Government till this date. Despite 'no confidence' motion letter has been submitted in July 2023 and representation dated 26.12.2024 have been made in this regard, no action has been taken thereon. Hence, the petitioner has come forward with the present writ petition.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the respondents 2 to 4 to consider the petitioner's representation dated 26.12.2024 and pass appropriate orders on merits and in accordance with law, within a particular time frame stipulated by this Court.

5. Learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed by this Court.

6. Heard the learned counsel on either side and perused the materials placed on record.



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7. Considering the limited relief sought for by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the respondents 2 to 4 to consider the petitioner's representation dated 26.12.2024 and pass appropriate order on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the aforesaid observation and directions. No costs.

12.02.2025

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

- 1.The Director of Town Panchayats,
Chennai – 8.
- 2.The Inspector of Panchayats/The District Collector,
Namakkal District,
Namakkal.

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3.The Executive Officer,
Paramathivellur Town Panchayat,
Paramathivellur,
Namakkal District.

4.The Assistant Director of Municipal Administrative,
Salem Region,
Salem – 1.

J.SATHYA NARAYANA PRASAD,J.

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