



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

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THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

WP No. 11504 of 2025

Bhuvaneshwaran
5/286, Paalmedu, Marappalam,
Pulliyampaarai Post Office, Gudalur,
Nilgiris District.

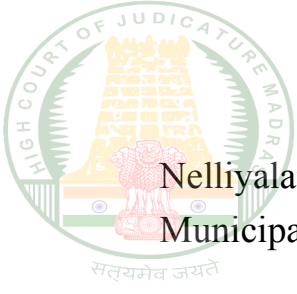
Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. By Its Secretary To Government,
Department Of Municipal
Administration and Water Supply,
Fort St. George, Chennai-600 009.

2.The Directorate of Municipal
Administration,
Rep. By The Director of Municipal
Administration,
No.3, MRC Nagar, Raja Annamalai
Puram, Chennai-600 028.

3.The Commissioner



Nelliyalam Municipality, Nelliyalam
Municipality Office, Pandalur-643 233.

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Respondent(s)

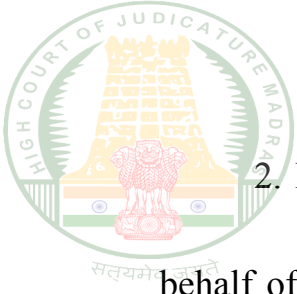
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 28.01.2025 and take appropriate action in accordance with Section 51 of the Tamil Nadu Urban Local Bodies Act, 1998 and comply with the time frames fixed therein.

For Petitioner(s): Mr.Meiyappan Mohan

For Respondent(s): Dr.T.Seenivasan
Special Government Pleader
For R1 to R3

ORDER

The present Writ Petition is filed for issuance of a Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 28.01.2025 and take appropriate action in accordance with Section 51 of the Tamil Nadu Urban Local Bodies Act, 1998 and comply with the time frames fixed therein.



2. Dr.T.Seenivasan, learned Special Government Pleader takes notice on behalf of the respondents. By consent of the parties, the main Writ Petition is taken up for disposal at the time of admission stage.

3. The case of the petitioner is that, he is an elected counsellor of Ward 14 in the Nelliayalam Municipality in the local body elections held in 2022 and he has been duly carrying on his duties promptly and in accordance with law. The Council elected one Mrs.Sivakami, as the Chairperson of the Municipality and one Mr.Nagarajan was elected as the Deputy Chairperson of the Nelliayalam Municipality. There were many complaints and issued raised by the contractors and others working for the Nelliayalam Municipality and the members of the public stating that the said Chairperson and Deputy Chairperson are demanding bribes for issuing works orders in their favour and further the Chairperson and Deputy Chairperson are not utilising the public funds for public purposes and the said funds are using for their self-interests only. The Chairperson and Deputy Chairperson were also caught demanding and collecting bribes from the contractors who work in the Municipality by the Vigilance and Anti-Corruption



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Department during a raid held on 25.10.2025. Pursuant to which, FIR was registered against them and a sum of Rs.3,37,500/- was also recovered from the office of the Chairperson of the Municipality, which is alleged to be the bribe amount paid by the contractors. Therefore, the petitioner and 13 other ward members gave a written notice dated 30.09.2024 of intention to make a motion of no-confidence against the Chairperson and the Deputy Chairperson along with the copy of the motion proposed to be made to the 3rd respondent- Commissioner of Municipality, which was hand-delivered by the petitioner along with the other members as per the requirements of the Tamil Nadu Urban Local Bodies Act, 1998. The 3rd respondent ought to have convened a meeting for consideration of the motion within 30 days from the date on which the notice was delivered. However, the 3rd respondent has not called for any such meeting and has not taken any action at all. Aggrieved by the same, the petitioner along with other ward members gave a representation on 28.01.2025 to the 3rd respondent, enquiring what steps have been taken pursuant to the no-confidence motion sent by the Councillors and requesting the 3rd respondent- Commissioner to take appropriate action against the Chairperson and Deputy



Chairperson. Till date, the said representation was not considered by the 3rd respondent, and hence, the petitioner had filed the present Writ Petition.

4. The learned counsel for the petitioner submitted that, it would be suffice, if this Court issues a direction to the 3rd respondent to consider the petitioner's representations dated 28.01.2025 and pass orders on the same within a particular time frame fixed by this Court.

5. Dr.T.Seenivasan, learned Special Government Pleader appearing for the respondents submitted that the petitioner's representations dated 28.01.2025 would be considered by the respondents and orders passed within the stipulated time that may be fixed by this Court.

6. In view of the submission made by the learned counsel on either side and without going to the merits of the representation, and taking note of the limited relief now sought for in this Writ Petition, there shall be a direction to the third respondent to consider the petitioner's representations dated



28.01.2025, by conducting a detail enquiry, after giving due notice to the petitioner, opportunity of personal hearing to the petitioner, consider the documents submitted by the petitioner and pass appropriate orders on its own merits and in accordance with law as per Section 51 of the Tamil Nadu Urban Local Bodies Act, 1998, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, this Writ Petition is disposed of. No costs.

01-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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