



WEB COPY

WP No. 12507 of 2025



DATED: 26-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 12507 of 2025

AND

WMP NO. 13418 OF 2025, WMP NO. 14106 OF 2025, WMP NO. 14108 OF 2025, WMP NO. 14198 OF 2025, WP NO. 11859 OF 2025, WP NO. 12510 OF 2025, WP NO. 12614 OF 2025

WP.No.12507/2025:-

1. K.P.Chokkalingam
S/o.K.Parasuraman, No.1, Tamil
Unarvagam, K.V.K.Kuppam, New
Town , Ernavoor, Chennai- 57.

Petitioner(s)

Vs

1. The State Of Tamilnadu
Rep. By Its Principal Secretary To
Government, Municipal
Administration And Water Supply
Department, Secretariat, Fort
St.George, Chennai-09.

2.The Commissioner
Greater Chennai Corporation, Ripon
Building, Chennai- 03.

3.The Zonal Officer
Zone-1, Greater Chennai Corporation,



No.947, T.H. Road, Tiruvottiyur,
Chennai-019.

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Respondent(s)

WP No. 11859 of 2025

1. C.Jaya Pradeep
S/o.C.Chandran, No.32, Bavanandhiyar
Street, Sembakkam, Chennai-600 073

Petitioner(s)

Vs

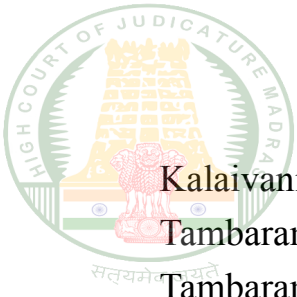
1. Principal Secretary
Secretary To Government, Municipal
Administration And Water Supply
Department, Secretariat, Chennai-600
009

2. Directorate Of Municipal
Administration
No.75, Urban Administrative Building,
Santhome High Road, Mrc Nagar,
Raja Annamalai Puram, Chennai-600
028

3. The Commissioner
Tambaram City Municipal Corporation,
Tambaram, Chennai-600 045

4. The Executive Engineer
Tambaram City Municipal Corporation
Tambaram, Chennai-600 045

5. The Assistant Executive Engineer



Kalaivani Street, Sembakkam, Zone-3,
Tambaram City Municipal Corporation,
Tambaram, Chennai-600 073

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6.MAHALAKSHMI

W/o.Karunakaran, 37th Ward Member,
Sarangan Street, Nehru Nagar,
Chrompet, Chennai-600 044

Respondent(s)

WP No. 12510 of 2025

1. V.Babu

S/o.R.Varadharaj No.45, Chakravarthy
Nagar, 1st Main Road,
Narayanapuram, Pallikaranai, Chennai-
100.

Petitioner(s)

Vs

1. The Principal Secretary To
Government Of Tamil Nadu
Municipal Administration And Water
Supply Department, Secretariat, Fort
St. George, Chennai-09.

2.The Commissioner
Greater Chennai Corporation, Ripon
Building, Chennai- 03.

3.The Zonal Officer
Zone-1, Greater Chennai Corporation,
No.947, T.H. Road, Tiruvottiyur,
Chennai-019.



WP No. 12507 of 2025



Respondent(s)

WP No. 12614 of 2025

1. K.Sakunthala

W/o.Kattapomman, No.3/10,
Karuppukovil, Street, Usilampatti,
Madurai-625 532.

Petitioner(s)

Vs

1. The Principal Secretary To
Government
Department Of Municipal
Administration And Water Supply,
Secretariat, Chennai-600 009.

2.The Director Of Municipal
Administration
The Office Of Directorate Of Municipal
Administration, Mrc Nagar, Raja
Annamalai Puram, Chennai-600 028.

3.The Municipality Commissioner
Usilampatti Municipal Council,
Madurai-625 532.

Respondent(s)

WP No. 12507 of 2025

PRAYER

Writ petition filed under Article 226 of the Constitution of India praying



for issuance of a writ of certiorari to call for the records from the 1st Respondent relating to G.O. Ms. No. 46 dated 27.03.2025 of the Municipal Administration and water Supply Department and Published in Tamil Nadu Government Gazette, No.139 dated 27.03.2025, quash the same in respect of Ward No.5, in Zone 1 of the Greater Chennai Corporation.

WP No. 11859 of 2025

PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the record and quash the same of the Government order bearing G.O.No.47 issued by 1st respondent dated 27.3.2025 which was served to the petitioner.

WP No. 12510 of 2025

PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for the records from the 1st Respondent relating to G.O. Ms. No. 45 dated 27.03.2025 of the Municipal Administration and water Supply Department and Published in Tamil Nadu Government Gazette, No.139 dated 27.03.2025, quash the same in respect of Ward No. 189, in Zone 14 of the Greater Chennai Corporation and to pass.

WP No. 12614 of 2025

PRAYER

Writ petition filed under Article 226 of the Constitution of India to Call for the records passed by the 1st respondent via, GO (N) No.41 dated 26.03.2025 of Municipal Administration and Water Supply (Na.Ni.5(2) Department and quash the same as illegal and consequently direct the 1st respondent to revert back the petitioner to the post of 11th ward Councillor as well as Chair person of Usilampatti Municipal Council.

For Petitioner in Mr.T.Mohan, Senior counsel for
WP.No.12507/2025: Mr.R.Murali



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For Petitioner in Mr.T.Mohan, Senior counsel for
WP.No.12510/2025: Mr.C.Prabakaran

For Petitioner in Mr.T.Mohan, Senior counsel for
WP.No.11859/2025: Mr.S.Nambi Arooran
For Petitioner Mr.D.Selvam
inWP.No.12614/2025

For R1 in all WPs: Mr.P.S.Raman, Advocate General
assisted by Mr.M.Suresh Kumar,
AAG & Dr. T. Seenivasan,
Spl.GP for R1
Mr.Preethivi Chopda Sc For R2
And R3 in WP.Nos.12507 &
12510/2025

COMMON ORDER

(1)With the consent of the learned counsels on either side, the writ petitions are taken up for final disposal and as common issues on facts and law are raised in the writ petitions, the writ petitions are disposed of by this common order.

(2)The writ petitions are filed for a writ of certiorari to quash the impugned Government Orders in G.O.Ms.Nos.46, 45 and 47, Municipal Administration and Water Supply Department, dated 27.03.2025 and G.O.Ms.No.41, of the very same Department dated 26.03.2025, removing the petitioners from the posts of Ward Councillors [WP.No.12507/2025 & 12510/2025] ; Councillor



and Zonal Chairman [WP.No.11859/2025] ; and Councillor and Chairperson [WP.No.12614/2025] respectively.

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(3)The facts in brief are that the petitioners in WP.Nos.12507, 12510 & 12614/2025 were elected as Ward Councillors of Tiruvottiyur Zone, Perungudi Zone and Usilampatti Municipal Council respectively, during the year 2022 ; and the petitioner in WP.No.11859/2025 was elected as Zonal Chairman of Sembakkam Zone on 30.03.2022. While so, on 22.10.2024, the respondents called for explanations from the petitioners on 19.11.2024 ; 25.07.2024 ; 03.03.2025 ; and 22.10.2024 respectively, regarding the allegations / charges levelled against them. The petitioners submitted their explanations on 25.11.2024 ; 01.08.2024 ; 12.03.2025 ; and 06.11.2024 respectively. Despite the detailed explanations and the supporting documents submitted by the petitioners', refuting the allegations / charges, the respondents, ignoring the explanations, passed the impugned Government Orders on 26.03.2025, removing the petitioners from their respective official posts. Aggrieved by the impugned Government Orders, the petitioners filed the above writ petitions for the aforesaid relief.



(4) The respondents filed detailed counter affidavits in each of the writ petitions

in support of the impugned Government Orders and prayed that the writ

petitions may be dismissed as meritless.

(5) The learned Senior counsel appearing for the petitioners in the above writ

petitions submitted that the impugned Government Orders were *prima facie*

illegal as they were not only non-speaking, but also lacked application of

mind. The learned Senior counsel further submitted that even though the

explanations submitted by the petitioners were referred to in the impugned

Government Orders, there was absolutely no consideration of the same in the

impugned Government Orders. Learned Senior Counsel submitted that

absolutely no reasons were assigned in the impugned Government Orders for

removal of the petitioners from their respective positions. The learned Senior

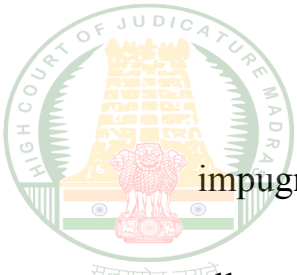
counsel further submitted that the respondents relied on the

Notings/Reference of the 2nd respondent in passing the impugned

Government Orders, however, a copy of the Notings/Reference was not

issued to the petitioners which amounted to violation of principles of natural

justice. The learned counsel for the petitioners therefore prayed that the



impugned Government Orders deserved to be set aside and the writ petitions allowed.

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(6) In contra, the learned Advocate General appearing for the respondents, reiterated the submissions made in the counter affidavits.

(7) Heard both sides and perused the materials placed on record.

(8) The facts of the case are not disputed and therefore, they are not traversed to avoid replication. A perusal of the impugned Government Orders shows that the 1st respondent, on the basis of the Notings/Reference of the 2nd respondent, passed the impugned Government Orders. As rightly contended by the learned Senior Counsel appearing for the petitioners, when the respondents relied on the Notings of the 2nd respondent, a copy of the same ought to have been furnished to the petitioners, giving them an opportunity of countering the same. The non-supply of the Notings/Reference of the 2nd respondent, relied upon in the impugned order, vitiates the same as it violates the principles of natural justice by denying the petitioners, an opportunity to controvert the same. Therefore, the impugned orders are liable to be set aside on the ground of violation of principles of natural justice.



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(9) It is further seen that the in the impugned Government Orders, there were absolutely no reasons assigned for rejecting the petitioners' explanations to the charges/allegations levelled against them. It is trite that reasons are the heartbeat of administrative decisions. Therefore, the impugned orders suffer from the vice of being non-speaking. Hence, on this ground also, the impugned orders cannot be sustained.

(10) As regards the petitioners in WP.Nos.12614 and 11859/2025 are concerned, by the impugned Government Orders, the petitioners were not only removed from their respective posts of Zonal Chairman [WP.No.11859/2025] ; and Chairperson [WP.No.12614/2025], but also from the post of Councillors, for which removal, there was no show cause notice issued, calling for explanations. Therefore, as rightly contended by the learned Senior counsel for the petitioners, the impugned Government Orders are also vitiated for total non-application of mind, since the respondents failed to note that the petitioners in the said writ petitions were holding dual posts of Chairperson/Zonal Chairman as well as the basic post of Ward Councillors. Therefore, while removing them from the basic post of Ward Councillor also,



the respondents ought to have issued show cause notice and the failure to issue the same, vitiates the impugned Government Orders.

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(11) For all the aforesaid reasons, I find merit in the writ petitions. Therefore, the impugned Government Orders are set aside and the matter is remanded to the 1st respondent for fresh consideration. The 1st respondent is directed to consider the petitioners' explanations dated 25.11.2024, 01.08.2024, 12.03.2025 and 16.11.2024, afford an opportunity of hearing to the petitioners and thereafter, pass reasoned orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

(12) The writ petitions are **disposed of accordingly**. No costs. Consequently, connected miscellaneous petitions are closed.

26-08-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

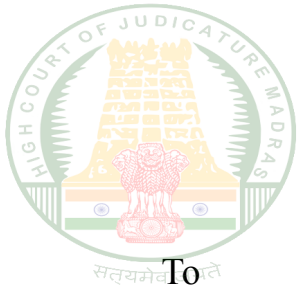
Neutral Citation: Yes/No



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To
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Rep. By Its Principal Secretary To
Government, Municipal
Administration And Water Supply
Department, Secretariat, Fort
St.George, Chennai-09.

2.The Commissioner
Greater Chennai Corporation, Ripon
Building, Chennai- 03.

3.The Zonal Officer
Zone-1, Greater Chennai Corporation,
No.947, T.H. Road, Tiruvottiyur,
Chennai-019.

WP No. 11859 of 2025

To

1.Principal Secretary
Secretary To Government, Municipal
Administration And Water Supply
Department, Secretariat, Chennai-600
009

2.Directorate Of Municipal
Administration



No.75, Urban Administrative Building,
Santhome High Road, Mrc Nagar,
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3.The Commissioner
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Kalaivani Street, Sembakkam, Zone-3,
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6.MAHALAKSHMI
W/o.Karunakaran, 37th Ward Member,
Sarangan Street, Nehru Nagar,
Chrompet, Chennai-600 044

WP No. 12510 of 2025

To

1.The Principal Secretary To
Government Of Tamil Nadu
Municipal Administration And Water
Supply Department, Secretariat, Fort
St. George, Chennai-09.

2.The Commissioner



Greater Chennai Corporation, Ripon
Building, Chennai- 03.

WEB COPY 3.The Zonal Officer

Zone-1, Greater Chennai Corporation,
No.947, T.H. Road, Tiruvottiyur,
Chennai-019.

WP No. 12614 of 2025

To

1.The Principal Secretary To
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Department Of Municipal
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2.The Director Of Municipal
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WP No. 12507 of 2025



N.MALA J.

AP

**WP No. 12507, 12510,
11859 & 12614 of 2025**

26-08-2025