



W.P.(MD)No.9187 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9187 of 2025

P.M.Ponmani

: Petitioner

Vs.

1. The Executive Officer,
Ganguvarpatti Town Panchayat,
Theni District.

2. The Director,
Town Panchayat Department,
Chennai - 600 028.

3. The District Collector,
Theni District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to convene a meeting of the respondent Town Panchayat for the consideration of the motion for no-confidence or the on Chairman within the time prescribed under Section 51(3) of the Tamil Nadu Urban Local Bodies Act, 1998 on consideration of the notice dated 24.03.2025.



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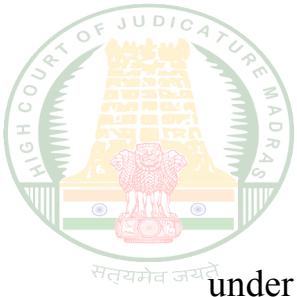
For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.C.Venkatesh Kumar
Spl. Government Pleader

ORDER

This writ petition has been filed seeking the issuance of a writ of mandamus, directing the first respondent to convene a meeting of the respondent Town Panchayat for the consideration of the motion for no-confidence on the Chairman within the time prescribed under Section 51(3) of the Tamil Nadu Urban Local Bodies Act, 1998 on consideration of the notice dated 24.03.2025.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that on 24.03.2025, the petitioner, along with eight other Councillors, submitted a draft resolution of no-confidence against the Chairman of the first respondent Town Panchayat, with notice to the respondents, citing various allegations against the Chairman. However, despite receipt of the notice, the first respondent has failed to convene a meeting as required



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under Section 51 of the Tamil Nadu Urban Local Bodies Act, 1998.

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4. The learned counsel further contends that, since the draft resolution of no-confidence was signed by three-fifths of the sanctioned strength of the Council, the first respondent is mandated to convene the meeting within 30 days from the date of receipt of the notice. Additionally, it is required to issue a 15-day notice to all members of the Town Council. Consequently, the first respondent ought to have issued the notice by 09.04.2025. However, no action has been taken by the respondents in this regard. In view of the above, the petitioner, having been left with no other remedy, has been compelled to file the present writ petition.

5. Per contra, the learned Special Government Pleader, appearing on behalf of the respondents, submitted that the allegations as raised by the petitioner is baseless. It is further submitted that no valid or sufficient grounds have been presented in the resolution to warrant the action sought by the petitioner.

6. Heard the learned counsels on either side and carefully



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perused the entire materials available on record.

7. After considering the submissions of both parties, this Court is of the considered opinion that the Councillors' right to move a 'No Confidence Motion' akin to their right to elect a Chairman. This Court, however, clarifies that it is not examining the nature of the allegations raised by the petitioner, but solely the petitioner's right to initiate the motion. In view of the same, this Court directs the first respondent to convene a meeting in compliance with the Tamil Nadu Urban Local Bodies Act, 1998, following the due process of law.

8. With the above direction, this writ petition stands allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

03.04.2025

Index : Yes / No

Internet : Yes / No

PKN

Note: Issue order copy today.

To



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- WEB CONFERENCE
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VIVEK KUMAR SINGH, J.

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