



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 24250 of 2026

and

WMP No.26400 of 2026

P.Suresh
S/o. R. Palani
No. 13C/38, Puniakoteeshwarar Koil Mada Street,
Little Kanchipuram- 631 501.

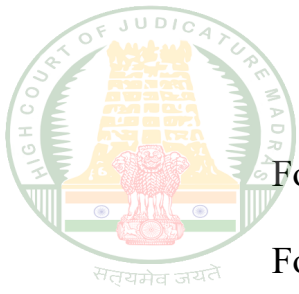
..Petitioner

Vs

1. The Director of Municipal Administration
Chepauk, Chennai 600 005.
2. The Commissioner
Kancheepuram City Municipal Corporation,
No.1, Gandhi Road,
Kancheepuram 631 501.
3. The District Collector
Office of the District Collector,
Collectorate Campus,
Kancheepuram District,
Kancheepuram- 631 501.

..Respondent(s)

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records of the 2nd Respondent pertaining to Na.Ka. No. 8825/2025/C2 dated 16.06.2026 and quash the same as illegal, arbitrary and non-est in law.



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For Petitioner:

Mr.B.Vijay
for Mr.S.Mohameduduman

For Respondents:

Mr.C.Prabakaran,
Government Counsel for R1,R3
Mr..Ra.Gopinath for R2
Standing Counsel

ORDER

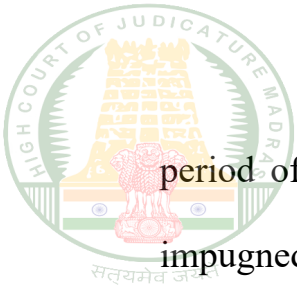
This petition has been filed challenging the impugned order passed by the 2nd respondent dated 16.06.2026 and seeking to quash the same as illegal, arbitrary and non-est in law.

2.The case of the petitioner is that he is a four-time elected Councillor of Kancheepuram Municipal Corporation, having been elected in the years 2006, 29011, 2016 and 2022. Prior to contesting the 2022 local body elections, the petitioner obtained a No Dues Certificate dated 29.01.2022 from the 2nd respondent, certifying that no arrears were payable by him towards any dues owed to the Corporation. Based on the said certificate, the petitioner contested the election, his nomination was accepted and he was duly elected as Councillor of Ward No.30. Subsequently, one K.Sudarmani, made a complaint against the petitioner on 24.01.2022 alleging that the petitioner was liable to pay Cable TV dues and seeking action against him. Based on the said complaint, the 2nd respondent initiated proceedings and called for reports from various authorities. The petitioner submitted a detailed objection stating that the Corporation itself had issued No Dues Certificate and that no demand notice or assessment had



ever been issued to him regarding any alleged arrears. A similar allegation relating to Cable TV dues had earlier been raised in Election Petition No.174 of 2007 before the Principal District Court, Chengalpattu, challenging his election. The said election petition was dismissed for default on 05.09.2011. Thereafter, the complainant filed W.P No.31181 of 2025 seeking action against the petitioner on the very same allegations. This Court, by order dated 16.06.2025, dismissed the said writ petition holding that the Commissioner has no authority to decide questions relating to disqualification of an elected Councillor, and granted liberty to the complainant, K.Sudarmani to work out his remedies before the appropriate forum. Immediately, the 2nd respondent passed the impugned order on 16.06.2026 under Section 32(1)(j) of Tamil Nadu Urban Local Bodies Act, 1998, directing the petitioner to the alleged tax arrears due to the Corporation within a period of seven days, failing which he would incur disqualification. Challenging the said order, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner would submit that the 2nd respondent has no power to invoke 32(1)(j) for issuing a notice recommending the petitioner's disqualification, unless a valid demand for payment of the alleged tax arrears has first been made. It is submitted that, from the date of service of such demand notice, the petitioner is entitled to a



period of three months to pay the arrears. However, till the issuance of the impugned order, no demand notice had been served on the petitioner, thereby depriving him of the opportunity to pay the alleged arrears within the statutory period. The learned counsel would further submit that prior to contesting the election, the very same 2nd respondent had issued a No Dues Certificate to the petitioner, certifying that there were no arrears payable by him and thereby enabling him to contest the election. It is contended that the subsequent demand has been issued with an ulterior motive. Nevertheless, the petitioner is willing pay any tax arrears, if found due, without prejudice to his rights and contentions before the 2nd respondent.

4.The learned Standing Counsel appearing for the 2nd respondent would submit that No Dues Certificate was inadvertently issued to the petitioner prior to his contesting the election. He would further submit that only after the election, did the 2nd respondent become aware of the arrears payable by the petitioner.

5.Heard the learned counsel appearing on either side and perused the materials available on record.



6. In view of the above, it is evident that the impugned order was passed without taking into consideration the earlier No Dues Certificate issued by the 2nd respondent. According to the 2nd respondent, the arrears payable by the petitioner came to light only after the election. Be that as it may, the petitioner has expressed his willingness to pay the arrears, without prejudice to his rights and contentions. Accordingly, the impugned order dated 16.06.2026 passed by the 2nd respondent is set aside, and the petitioner is directed to pay a sum of Rs.2,35,075/- (Rupees Two Lakhs Thirty-Five Thousand and Seventy-Five only) towards Cable T.V tax dues to the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the said amount, the 2nd respondent shall close the proceedings initiated against the petitioner with regard to his alleged disqualification, within a period of two weeks thereafter.

7. With the above observations and directions, the writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

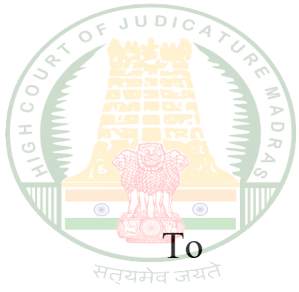
24-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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