



W.P.No.31181 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.31181 of 2025
and
W.M.P.No.34926 of 2025**

K.Sudarmani

... Petitioner

Vs.

1. The Commissioner,
Kancheepuram City Municipal Corporation,
Kancheepuram.

2. P.Suresh

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent to pass orders on his notice in *ந,க,எண்.245/2023/சீ2* dated 10.07.2025 and to take suitable action against the second respondent within a stipulated time.

For Petitioner : Mr.M.Gunasekar

For Respondents : Mr.R.A.Gopinath
Standing Counsel for R1
Mr.Suhrith Parthasarathy for R2



W.P.No.31181 of 2025

WEB COPY

ORDER

The present writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to pass appropriate orders on the notice issued by the first respondent in ந,க,எண்.245/2023/சீ2 dated 10.07.2025 and consequently, take suitable action against the second respondent in accordance with law.

2. The case of the petitioner is that he is a resident of Pillaiarpalayam, Kancheepuram, Kancheepuram District, and a Class-I Contractor of the Kancheepuram Corporation, entitled to participate in tender valued up to Rs.75,00,000/-. The second respondent is an elected member of the Municipal Council. On 13.10.2023, the petitioner submitted a complaint against the second respondent for contesting the election by suppressing the fact that he was in tax arrears to the Corporation to the tune of Rs. 2,35,075/- for the years 2006, 2011, and 2022. Since no action was taken, the petitioner sent a reminder representation on 24.01.2025 to the first respondent, requesting action against the second respondent. Consequently, on



W.P.No.31181 of 2025

WEB COPY

31.01.2025, the first respondent issued a notice to both the petitioner and the second respondent, seeking their explanations. The second respondent submitted an explanation dated 18.02.2025, a copy of which was annexed to a subsequent notice issued by the first respondent to the petitioner on 03.04.2025. On 19.06.2025, the petitioner filed his objections, pointing out that the second respondent had failed to submit any tax receipts for the years 2006, 2011, and 2022. Following this, the first respondent issued another notice on 10.07.2025 to the second respondent, calling for a further explanation. Except issuing notices and seeking explanations, the first respondent did not pass any final orders. Therefore, the petitioner has approached this Court seeking a direction to the first respondent to consider his representations and take appropriate action against the second respondent in accordance with law.

3. The learned counsel appearing for the second respondent would submit that the second respondent is an elected Councilor of the Municipal Council. It was contended that the first respondent has no authority or jurisdiction to disqualify an elected Councilor and such power, if any, vests



W.P.No.31181 of 2025

WEB COPY

only with the Government under the Statute. Therefore, the representations submitted by the petitioner before the first respondent is not maintainable, as it was made before an incompetent authority. Hence, no relief as sought for by the petitioner can be granted.

4. Heard the learned Standing Counsel appearing for the first respondent also.

5. This Court has carefully considered the submissions made on either side and perused the materials available on record.

6. The grievance of the petitioner is that the second respondent had allegedly suppressed certain facts while contesting the election and therefore, action should be initiated against him. However, it is seen that the petitioner had submitted representations before the first respondent seeking disqualification of the second respondent. Admittedly, the power to decide the issue relating to disqualification of an elected Councilor is not vested with the first respondent. Since the first respondent has no authority to pass



W.P.No.31181 of 2025

WEB COPY

orders relating to the disqualification of the second respondent, no direction as sought for by the petitioner can be issued in this writ petition.

7. Accordingly, this Writ Petition stands dismissed, granting liberty to the petitioner to work out the remedy in the manner known to law before the appropriate authority. No costs. Connected miscellaneous petition is closed.

16.06.2026

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

The Commissioner,
Kancheepuram City Municipal Corporation,
Kancheepuram..



WEB COPY



W.P.No.31181 of 2025

M.DHANDAPANI, J.

vji

**W.P.No.31181 of 2025
and
W.M.P.No.34926 of 2025**

16.06.2026