

W.P.(MD)No.7935 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2025

CORAM:

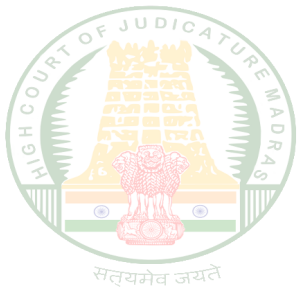
THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7935 of 2025
and WMP (MD) No.5978 of 2025

1. K. Subramanian
2. R.Sudaroli
3. V.Saraswathi
4. B.Jegannathan
5. S.Indhumathi
6. G.Radha
7. V.Muthupandi
8. M.Selvakumari
9. M.Suganthi
10. S.Navannethakrishnan
11. A.Ramkumar
12. N.Vemburaj
13. K.Shenbagarajan

: Petitioners

Vs.



W.P.(MD)No.7935 of 2025

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1. The Secretary to Government,
Department of Municipal Administration
and Water Supply,
Secretariat,
Chennai - 600 009.

2. The Director,
Directorate of Municipal Administration,
75, Urban Administrative Building,
Santhome High Road,
Mrc Nagar, R.A.Puram,
Chennai - 600 028.

3. The Chair Person,
Sengottai Municipality,
Sengottai,
Tenkasi District.

4. The Commissioner,
Sengottai Municipality,
Sengottai,
Tenkasi District.

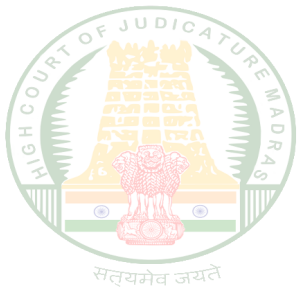
: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to scrupulously adhere to the provisions of Tamil Nadu Urban Local Bodies Rules, 2023 in respect of the conduct of affairs of the meeting of the Sengottai Municipal Council scheduled to be held on 21.03.2025.

For Petitioners : Mr. C.Iyyappa Raj

For Respondents : Mr.J.K.Jayaselan

Government Advocate for R1 to R3



W.P.(MD)No.7935 of 2025

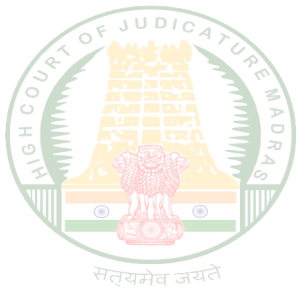
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ORDER

This Writ Petition has been filed seeking a direction to the respondents to strictly adhere to the provisions of the Tamil Nadu Urban Local Bodies Rules, 2023, regarding the conduct of the Sengottai Municipal Council meeting scheduled on 21.03.2025.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with.

3. The learned counsel for the petitioners submitted that the petitioners are elected members of the Sengottai Municipal Council, an Urban Local Body located in Tenkasi District. The Council comprises 24 members, with the petitioners and six other members forming a majority of 19 members, while the Chairperson and her supporters, constitute the minority.

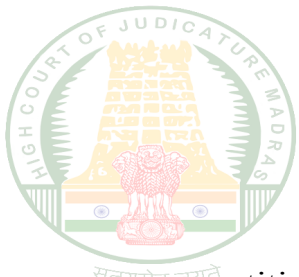


W.P.(MD)No.7935 of 2025

WEB COPY

4. The learned counsel for the petitioners further submitted that the respondents are obligated to conduct the affairs of the Sengottai Municipal Council in strict compliance with the provisions of the Tamil Nadu Urban Local Bodies Rules, 2023, ensuring that no arbitrary decisions are made by the Chairperson or the minority members. The learned counsel also pointed out that, due to the illegal alteration made in the minute book, the third respondent ought to have taken corrective action by restoring the original resolution passed by the Council on 23.10.2024. However, the petitioners have been unjustly denied access to the minute book and the Council's proceedings are being conducted without transparency.

5. The learned counsel for the petitioners contends that the respondents must adhere to the procedural requirements for convening meetings, ensuring that the order of business is followed and that the affairs of the Council are conducted lawfully. Failure to do so would significantly prejudice the petitioners. In this regard, the petitioners submitted a representation to the City Commissioner of the Sengottai Municipal Council, outlining all the irregularities. However, since no action has been taken, the petitioners have now filed the present writ



W.P.(MD)No.7935 of 2025

petition.
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6. The learned Government Advocate, appearing on behalf of respondents 1 to 3, submitted that the allegations made by the petitioners are vague and unfounded. The petitioners are attempting to disrupt the conduct of Municipal Council, which is scheduled to be held on 21.03.2024. The learned Government Advocate further submitted that the respondents will ensure that the Municipal Council meeting is conducted in strict compliance with the provisions of the Tamil Nadu Urban Local Bodies Rules, 2023, adhering to all prescribed procedures and statutory requirements.

7. The learned Government Advocate also contended that with regard to the petitioners' submission of a representation, the petitioners only submitted it on 16.03.2025 and it has not yet reached the respondents for consideration. In this regard, he also relied upon the order of this Court in W.P.No.675 of 2022, dated 21.01.2022, which provided guidelines for the consideration of such representations.

8. Heard the learned counsel for the parties and perused the



W.P.(MD)No.7935 of 2025

WEB COPY

materials available on record.

9. Upon considering the submissions made by both parties, this Court is of the opinion that the respondents are obligated to conduct the Municipal Council meeting in a fair and proper manner. Accordingly, this Court directs the respondents to convene the meeting transparently, without prejudice to any members, including the petitioners, ensuring compliance with the provisions contemplated under the Tamil Nadu Urban Local Bodies Rules, 2023. The respondents shall ensure that all elected members are given an equal opportunity to participate in the proceedings, and decisions must be made in accordance with the principles governing the conduct of Municipal Council affairs.

10. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

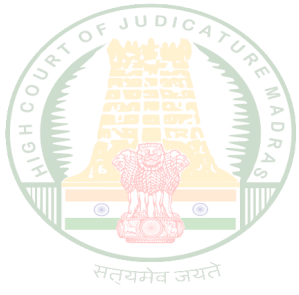
20.03.2025

Index : Yes / No

Internet : Yes / No

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Note: Issue order copy today.



W.P.(MD)No.7935 of 2025

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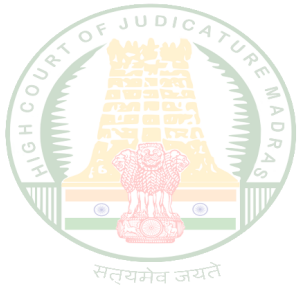
To

1. The Secretary to Government,
Department of Municipal Administration
and Water Supply,
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2. The Director,
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Mrc Nagar, R.A.Puram,
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Tenkasi District.

4. The Commissioner,
Sengottai Municipality,
Sengottai,
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W.P.(MD)No.7935 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD) No.7935 of 2025

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