

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.23963 of 2023

The President,
Mr.N.D.Mohan,
Nainarkuppam Village Panchayath,
Nainarkuppam, Karunguzhi Post,
Vadalur,
Cuddalore District.

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The District Revenue Officer,
Cuddalore District,
Cuddalore.
- 3.The Revenue Divisional Officer,
Cuddalore District,
Cuddalore.
- 4.Tahsildar,
Taluk Office,
Kurinjipadi,
Cuddalore District.

5.The Block Development Officer,
Kurinjipadi,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to dispose of the petition dated 29.05.2023 filed by the petitioner on behalf of the villagers as President of Nainarkuppam Village Panchayath relating to the property comprised in Survey No.166/10 of Karunkuzhi Revenue village.

For Petitioner : Mr.R.Rajavelavan

For Respondents-1 to 4 : Mr.D.Ravichander,
Special Government Pleader.

For Respondent-5 : Mr.E.Sundaram,
Government Advocate.

INTERIM O R D E R

The petitioner is the elected President of Nainarkuppam Village Panchayat. The petitioner in his own capacity, as a President of the Village Panchayat, had submitted a representation to cancel the patta granted by the Government to the Trans-Genders of that locality.

2. A perusal of the representation submitted by the petitioner reveals that he is developing hatredness towards Trans-Genders in that locality,

which is unconstitutional and the representation itself is directly in violation of Article 19(1)(d) of the Constitution of India. The Nainarkuppam Panchayat has passed a resolution on 07.04.2023, which is also unconstitutional and in violation of the fundamental rights ensured to the citizen of our great nation. The reasons stated in the representation causes concern to the mind of this Court and therefore, the petitioner is directed to be present before this Court and explain under what circumstances the resolution was passed by Panchayat and also produce the copy of the same.

3. The President of the Nainarkuppam Panchayat / petitioner has to file an affidavit to explain under what authority of law, he has given such representation to the District Collector, and passed resolution in the Panchayat.

4. Post the matter on 21.08.2023, under the caption "For Orders".

16-08-2023

Skr

Note: Issue order copy on 16.08.2023

To

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The District Revenue Officer,
Cuddalore District,
Cuddalore.
- 3.The Revenue Divisional Officer,
Cuddalore District,
Cuddalore.
- 4.Tahsildar,
Taluk Office,
Kurinjipadi,
Cuddalore District.
- 5.The Block Development Officer,
Kurinjipadi,
Cuddalore District.

S.M.SUBRAMANIAM, J.

Svn

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