



### ABSTRACT

**Municipal Manual - Provision for obtaining prior approval of the Commissioner of Municipal Administration for filing appeal against the judgment of a court by the Municipality - Amendment to para 5.56 (v) of Municipal Manual Volume II - Issued.**

### MUNICIPAL ADMINISTRATION AND WATER SUPPLY (ELEC.) DEPT.

G.O.Ms. No. 106

Dated : 4.5.1999

Read :

1. From the Commissioner of Municipal Administration Letter ROC No. 64423/97/TP1, dated : 21.11.1997.
2. From the Commissioner of Municipal Administration Letter ROC.No.13421/98/TP1, dated : 21.4.1998.

### ORDER :-

According to the provision contained in Para 5.56 (v) in the Municipal Manual Volume II, in cases where a Municipal Council desires to prefer an appeal or revision against any judgment order or decree of a court, the previous sanction of the Commissioner of Municipal Administration should be obtained." The Commissioner of Municipal Administration has now reported that since elected council is now functioning the provision empowering the Commissioner of Municipal Administration to accord previous sanction for filing appeal may be deleted. The Government after careful consideration have decided to modify the provisions contained in para 5.56 (v) in the Municipal Manual Volume II. Accordingly, the Government issue the following amendment to Para 5.56 (v) of Municipal Manual Volume II.

### AMENDMENT

For the provision in para 5.56 (v) of Municipal Manual Volume II, the

following provision shall be substituted :-

"In cases, where a municipal council desires to prefer an appeal or revision against any judgment order or decree of a court, the municipal council can do so based on the legal opinion and on the remarks of the Commissioner. However, if the council decides either way (for filing or not filing of appeal) over ruling the remarks of the Commissioner and also the legal opinion of the Standing Counsel, the matter shall be reported by the Commissioner to the Commissioner / Director of Municipal Administration for a decision and his decision shall be final."

(BY ORDER OF THE GOVERNOR)

S. MALATHI,  
SECRETARY TO GOVERNMENT.

To

The Commissioner of Municipal Administration,  
Chennai.5

The Director of Town Panchayats, Chennai.

All Municipal Commissioners through the Chairman.

All Regional Directors of Municipal Administration

All Assistant Director / Regional Director of Town Panchayats (to communicate this  
to all Executive Officers of Town panchayats)

All Sections in Municipal Administration and Water Supply Department,  
Stock file/spare copy.

//FORWARDED/BY ORDER//

6/5/57  
SECTION OFFICER