



## **ABSTRACT**

Town Panchayats - Sarcar Samakulam Town Panchayat - Coimbatore District - Removal of Chairman under section 40-A (12) of Tamil Nadu District Municipalities Act, 1920 - Notification issued.

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### **Municipal Administration and Water Supply (TP.II) Department**

**G.O.(D) No.54**

**Dated: 17/02/2010**

**5, Masi, Thiruvalluvar Andu 2041**

Read:

1. From the Assistant Director of Town Panchayats, Coimbatore zone Letter No.2555/2009/௫3, dated 14.12.2009.
2. From the Director of Town Panchayats Lr. No.24410/2009/௫2, dated 19.01.2010.

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### **ORDER:**

On 22.06.2009, 11 Ward Councillors of Sarcar Samakulam Town Panchayat, Coimbatore District presented a notice of 'No Confidence Motion' duly signed by thirteen councillors, out of the 15 total councillors against Tmt. K. Vetriselvi, Chairman of Sarcar Samakulam Town Panchayat, Coimbatore District to the Assistant Director of Town Panchayat, Coimbatore Zone in person. The Assistant Director of Town Panchayats, Coimbatore Zone by following the procedures laid down in section 40-A of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) served his letter dated 22.06.2009 to all the 15 councillors including the Chairman stating that the special meeting will be conducted on 13.07.2009 by 11.00 A.M.

2. As scheduled, a special meeting was conducted in the office of the Sarcar Samakulam Town Panchayat by the Assistant Director of Town Panchayats, Coimbatore Zone on 13<sup>th</sup> July 2009 by 11.00 A.M. and all the 15 councillors attended the meeting. when the motion was put to vote 14 councillors have voted in support of the 'No Confidence Motion' against the Chairman of Sarcar Samakulam Town Panchayat.

3. Therefore, the Assistant Director of Town Panchayats, Coimbatore Zone has informed the Director of Town Panchayats that 'No Confidence Motion' was declared passed since four-fifth of the sanctioned strength of the council have voted in favour of the motion with reference to section 40-A (12) of Tamil Nadu District Municipalities Act,

1920 (Tamil Nadu Act V of 1920). In the circumstances, the Director of Town Panchayats has sent relevant documents regarding the removal of Tmt. K. Vetriselvi, Chairman, Sarcar Samakulam Town Panchayat, Coimbatore District to the Government for suitable further action.

4. Further, the Director of Town Panchayats has stated that Tmt. K. Vetriselvi, has filed W.P.No.12436/09 and M.P.Nos.1&2/2009 challenging the order dt.22.06.2009 passed by the first respondent (viz. The Assistant Director of Town Panchayats (Genl.) Coimbatore zone) in the High Court of Madras and after hearing on 10.07.2009, 15.07.2009 and 21.07.2009, a judgement has been delivered on 23.11.2009. In the judgement in para 35 & 36 it has been ordered as follows:-

**Para 35**

"In the present case, admittedly, the petitioner approached this court before the meeting was convened and therefore, I do not find any merits in this submission also."

**Para 36**

"In the result, the writ petition is dismissed. No costs. All the connected miscellaneous petitions are closed,"

5. The Government have examined the proposal of the Director of Town Panchayats, with reference to the provisions of sub.sec(12) of section 40-A of the said Act, and decided to remove Tmt. K. Vetriselvi, Chairman, Sarcar Samakulam Town Panchayat, Coimbatore District, from the Office of the Chairman of the said Town Panchayat. Accordingly, the following Notification shall be published in the Tamil Nadu Government Gazette, Extra-ordinary dated the 17<sup>th</sup> February, 2010.

**NOTIFICATION.**

Whereas a written notice of intention to make a motion expressing want of confidence in Tmt. K. Vetriselvi, Chairman, Sarcar Samakulam Town Panchayat, Coimbatore District signed by thirteen councillors out of the sanctioned strength of the fifteen councillors of the said Town Panchayat Council together with a copy of the motion proposed to be made have been delivered to the Assistant Director of Town Panchayats, Coimbatore Zone in person by eleven councillors under the provisions of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920);

And, Whereas the said motion expressing want of confidence in Tmt. K. Vetriselvi, Chairman, of the said Town Panchayat has been carried out with the support of fourteen councillors out of the sanctioned strength of the fifteen councillors in the meeting convened by the Assistant Director of Town Panchayats, Coimbatore Zone, on the 13th July 2009, after following the procedures specified in section 40-A of the said Act;

Now, therefore, in exercise of the powers conferred by sub-section (12) of section 40-A of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Governor of Tamil Nadu hereby removes Tmt. K. Vetriselvi, Chairman, Sarcar Samakulam Town Panchayat, Coimbatore District from the Office of Chairman of the said Town Panchayat.

**(By Order of the Governor)**

**NIRANJAN MARDI**  
**Secretary to Government.**

To

The Works Manager, Government Central Press, Chennai-79.  
(To Publish the Notification in the TNGG Extra-Ordinary)  
Tmt. K. Vetriselvi, Chairman, Sarcar Samakulam Town Panchayat,  
Coimbatore District --Through Assistant Director of Town  
Panchayats, Coimbatore Zone.

The Director of Town Panchayats, Chennai-108.

The Assistant Director of Town Panchayats, Coimbatore Zone.

The District Collector, Coimbatore District.

Copy to:

The Private Secretary to Secretary, Municipal Administration and  
Water Supply Department , Chennai-9.

The Municipal Administration and Water Supply(OPII) Department  
Chennai-9.

The Law Department, Chennai - 9.

SF/SCs

// Forwarded by Order //

Section Officer.