



WEB COPY

WP No. 31361 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 31361 of 2026

and

WMP No. 34451 OF 2026

E. Gnanasegarane
S/o.Elumalai
No.17, Villupuram Main Road
Kottaimedu, Villianur, Puducherry.

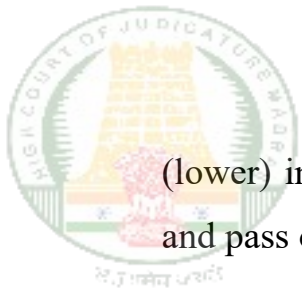
..Petitioner

Vs

1. The Government of Puducherry
Rep by its Secretary
Department of Local Administration
Chief Secretariat, Puducherry.
2. The Director of Local Administration Department
Government of Puducherry
Puducherry.
3. The Commissioner
Villianur Commune Panchayat
Villianur, Puducherry.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the latest proposal of the 3rd respondent submitted to 2nd respondent vide letter F.No.20-1/VCP/2021-22/Estt.1 dt.05.03.2025 and convene the Departmental Promotion Committee (DPC) to promote the petitioner to the regular post of Lower Division Clerk (Registration)in Etat civil section in Villianur Commune Panchayat on adhoc basic by relaxing the provision of the Recruitment Rules for the time being in respect of the requirement of passing of Typewriting



(lower) in English by the petitioner within 3 years from the date of promotion and pass orders.

For Petitioner:

Mr.S. Abuabcker Sidhic

For Respondents:

Mr.M.Nirmal Kumar
Government Advocate (Pondy)
for R1 to R3

ORDER

The writ petition has been filed seeking the following relief :

“ To direct the respondents to consider the latest proposal of the 3rd respondent submitted to 2nd respondent vide letter F.No.20-1/VCP/2021-22/Estt.1 dt.05.03.2025 and convene the Departmental Promotion Committee (DPC) to promote the petitioner to the regular post of Lower Division Clerk (Registration)in Etat civil section in Villianur Commune Panchayat on adhoc basic by relaxing the provision of the Recruitment Rules for the time being in respect of the requirement of passing of Typewriting (lower) in English by the petitioner within 3 years from the date of promotion. ”

2. The petitioner is a physically challenged person belonging to Most Backward Class. He had graduated in B.A.History from Puducherry University and has proficiency in French Language and also have a certificate in Advanced French Course. The petitioner was initially appointed as Multi Purpose Helper on 13.10.1999 on consolidated wage basis. This post was later converted as Tank Operator by Memorandum dated 31.01.2003 and



subsequently, he was appointed as Multi Purpose Tank Operator with effect from 28.02.2003 in the Villianur Commune Panchayat, the third respondent herein. Thereafter, he was absorbed in the vacant post of Tank Operator on temporary and adhoc basis and was subsequently brought into the regular time scale of pay on 30.11.2012. The petitioner would submit that he had undergone CRS and RBD Training Programmes and had acquired sufficient professionalism and ability to handle the French documents in Etat Civil Section.

3. The petitioner would submit that though he was employed as Tank Operator in the 3rd respondent, his present assignment is in Etat Section and he had been performing his duties in Etat Civil Section as Lower Division Clerk (LCD) for more than 14 years. Therefore, the petitioner had submitted his representations on 04.11.2013, 28.11.2013 and his latest representation was on 30.11.2021, seeking to promote him by filling up one post of LDC allocated for Etat Civil Section in the 3rd respondent Panchayat on adhoc basis, by relaxing the provisions of the Recruitment Rules. Based on his representations, the third respondent had also submitted its proposals to the first and second respondents on 28.11.2013, 01.07.2019, 19.09.2019 and 05.03.2025. However, the said proposals which were forwarded to respondents 1 and 2, did not evoke any response. Hence, the petitioner is before this Court seeking a mandamus for the relief stated supra.



4. The petitioner would also submit that the individuals who worked as Tank Operator had also been promoted to the post of LDC in the year 2019, by relaxing the Recruiting Rules and the same parity shall also be extended to him.

5. Heard the learned counsel on either side and also perused the materials placed on record.

6. This Court without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider the latest representation of the petitioner dated 30.12.2021, as also the proposals submitted by the third respondent dated 05.03.2025 with regard to promoting the petitioner to the post of LDC, and pass orders within a period of four weeks from the date of receipt of a copy of this order, in accordance with law.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
DS



To:

1. The Secretary
Government of Puducherry
Department of Local Administration
Chief Secretariat, Puducherry.
2. The Director of Local Administration Department
Government of Puducherry
Puducherry.
3. The Commissioner
Villianur Commune Panchayat
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