

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.37146 of 2016

R.Govindan

.. Petitioner

vs.

1.P.A. To District Collector,
(Rural Development Division),
O/o. District Collector,
A-Block, 3rd Floor,
Sathuvachari,
Vellore-9.

2.The Block Development Officer,
Kanthili, Thirupathur Taluk,
Vellore District.

3.Perampattu Village Panchayat,
Rep. by its President,
Kanthili Union,
Vellore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to permit the petitioner to join duty as a Secretary to the 3rd respondent, Panchayat with retrospective effect from the date of appointment i.e. From 25.06.2012 as per the proceedings of the 2nd respondent in Na.Ka.Aa3/836/2016 dated 27.07.2016.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims that he is having educational qualification of B.Com., B.P.Ed., and he belongs to Most Backward Class community and he submitted an application to the third respondent on 18.06.2012 for filing up of the post of Secretary and the petitioner was successful in the

selection process and got selected as Secretary to the Panchayat and an order was also issued on 25.06.2012. The order of appointment of the petitioner as Secretary to the third respondent Panchayat and the resolution were forwarded by the second respondent to the third respondent to transfer the in-charge Secretary and post the petitioner to the said post and after repeated representations, the second respondent passed an order transferring the in-charge Secretary and appointed the petitioner as Secretary of the third respondent Panchayat. However, the second respondent did not permit the petitioner to take charge as Secretary of the third respondent Panchayat, since the second respondent did not receive any communication from the first respondent regarding accepting of the petitioner's appointment. The petitioner, in this regard, has submitted a representation to the first respondent dated 06.10.2016 requesting to approve his appointment and to permit him to join duty as Secretary of the third respondent Panchayat with retrospective effect from the date of appointment i.e., from 25.06.2012 and despite receipt and acknowledgment, no response is forthcoming and hence, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 06.10.2016 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

jvm

To

1.P.A. To District Collector,
(Rural Development Division),
O/o. District Collector,
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Sathuvachari, Vellore-9.

2.The Block Development Officer,
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Vellore District.

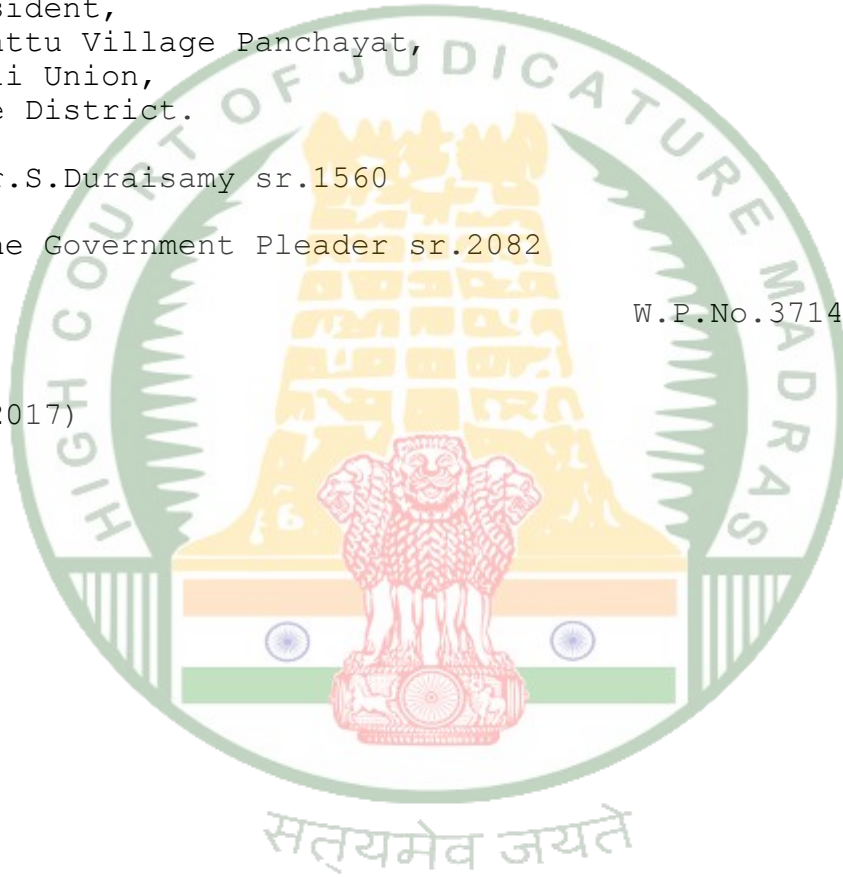
3.The President,
Perampattu Village Panchayat,
Kanthili Union,
Vellore District.

+1cc to Mr.S.Duraisamy sr.1560

+1cc to The Government Pleader sr.2082

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rv(co)
ss(25/01/2017)



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