



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.(MD) No.218 of 2017

M.Subramanian

... Appellant

-vs-

1.The District Collector
Tirunelveli District
Tirunelveli

2.Personal Assistant (Development)
To the District Collector
Tirunelveli District
District Collectorate
Tirunelveli

3.The Block Development Officer
(Village Panchayat)
Tenkasi Panchayat Union
Tirunelveli District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 14.08.2013, made in W.P.(MD) No.13394 of 2013.

Prayer in WP(MD). 13394/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to give placement in the post of Panchayat secretary in any one of the village panchayat under the jurisdiction of the 3rd Respondent based on the petitioners representation dated 15.07.2013 within the period stipulated by this Honble Court.

For Appellant : Mr.Ananth C.Rajesh

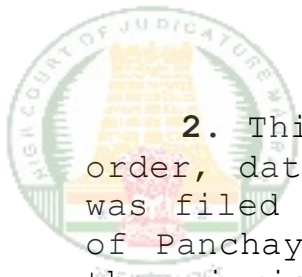
For Respondents : Mr.V.Muruganantham

Addl. Government Pleader

J U D G M E N T

[Judgment of the Court by T.S.SIVAGNANAM, J.]

Heard Mr.Ananth C.Rajesh, learned counsel, appearing for the appellant and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the respondents and perused the materials placed on record.



2. This appeal by the writ petitioner is directed against the order, dated 14.08.2013, made in W.P.(MD) No.13394 of 2013, which was filed to direct the respondents to give placement in the post of Panchayat Secretary in any one of the Village Panchayat under the jurisdiction of the third respondent, based on his representation, dated 15.07.2013, within a stipulated time.

3. It is the admitted case of the appellant that he was appointed as a Part-Time Clerk in the third respondent - Panchayat by the then President. Furthermore, there is nothing on record to show that he was appointed as a Full-Time Clerk by following due process, which is required to be done by calling for names from the District Employment Exchange. In such circumstances, there is no vested right accrued for the appellant to contend that he has been denied employment. Further, when there is nothing on record to show that the appellant was appointed as a Full-Time Clerk in the third respondent Panchayat, the question of passing of termination order terminating him from service does not arise.

4. Thus, for all the above reasons, we find no ground to interfere with the order passed in the writ petition and the writ appeal is, therefore, liable to be dismissed.

5. In the result, the writ appeal fails and it is dismissed. No costs.

Sd/-

Assistant Registrar(AD-II)

/ True Copy /

Sub Assistant Registrar(C.S.)

To:

1.The District Collector,
Tirunelveli District,Tirunelveli.

2.Personal Assistant (Development) To the District Collector,
Tirunelveli District,
District Collectorate, Tirunelveli.

3.The Block Development Officer,
(Village Panchayat),
Tenkasi Panchayat Union, Tirunelveli District.

+1cc to M/S.ANANTH C.RAJESH, Advocate SR.No.60025

+1cc to Special Government Pleader, SR.No.59883

krk / ia

MAS/JC/SAR 2/21.06.2017/2P/6C

W.A.(MD) No.218 of 2017
12.06.2017