



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.27121 of 2018

WMP.Nos.31528 & 31532 of 2018

A.Kishore Kumar

...Petitioner

Vs

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Special Officer (Village Administration)/
Block Development Officer(Village Administration),
Kadambathur Block,
Thiruvallur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to select and appoint the petitioner as Panchayat Secretary in the vacancy found in Serial No.6 of the advertisement notified by the second respondent herein through website for Thirupanthiyur Panchayat pursuant to the petitioner's application dated 09.04.2018.

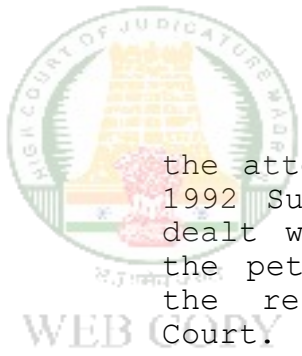
For Petitioner	: Mr.A.R.Suresh
For R1	: Mr.N.Inbarajan, AGP
For R2	: Mr.D.Suriyanarayanan, AGP

ORDER

Heard, Mr.Mr.A.R.Suresh, learned counsel for the petitioner Mr.Mr.N.Inbarajan, learned Additional Government Pleader appearing for the first respondent and Mr.D.Suriyanarayana, learned Additional Government Pleader appearing for the second respondent. By consent of both the parties, the writ petition is taken up for final disposal.

2. The prayer sought for in this writ petition is for a mandamus, directing the respondents herein to select and appoint the petitioner as Panchayat Secretary in the vacancy found in Serial No.6 of the advertisement notified by the second respondent herein through website for Thirupanthiyur Panchayat pursuant to the petitioner's application dated 09.04.2018.

3. The learned counsel for the petitioner submitted that the petitioner has submitted an application dated 09.04.2018 to the respondents claiming that the vacancies as advertised in Serial No.6 by the second respondent, which according to the petitioner are still available since not filled up so far. He also invited



the attention of this Court related to the decision reported in 1992 Supp.(3) SCC 217 (Indra Swamy Vs Union of India), which dealt with the subject matter in issue. Now, the grievance of the petitioner is that his application was not considered by the respondents till date. Hence, the petitioner is before this Court.

4.The learned Additional Government Pleader appearing for the respondents 1 & 2, on instructions, submitted that the application of the petitioner would be considered on merits and in accordance with law.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court without going into the merits of the case, directs the second respondent to consider the application of the petitioner dated 09.04.2018 in the light of the decision reported in 1992 Supp.(3) SCC 217 (Indra Swamy Vs Union of India) and also on merits and in accordance with the Rules regarding the appointment, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Thiruvallur District,Thiruvallur.

2.The Special Officer (Village Administration)/
Block Development Officer(Village Administration),
Kadambathur Block,Thiruvallur District.

+1cc to Mr.A.R.Suresh, Advocate, S.R.No.71219

W.P.No.27121 of 2018

MR(CO)

rrs 13/11/2018