



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.18221 of 2018

and

W.M.P.(MD) Nos.16128 to 16130 and 19011 of 2018

S.Hari Balakrishnan

... Petitioner

vs.

1. The District Collector,
Thoothukudi,
Thoothukudi District.

2. The Special Officer/Block Development Officer,
Village Panchayat,
Thoothukudi Panchayat Union,
Pudhukottai, Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus calling for the proceedings of the second respondent in Na.Ka.No.Thi3/1701/2018, dated 04.06.2018 and quash the same and direct the respondents to appoint the petitioner as Secretary, Kootudankadu Village Panchayat.

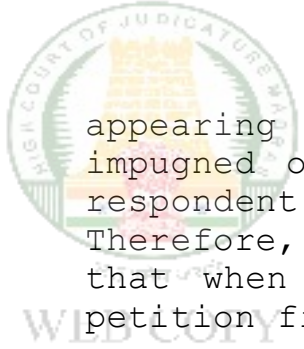
For Petitioner : Mr.Balamuralikrishnan
for Mr.V.Perumal

For Respondents : Mr.K.MU.Muthu
Additional Government Pleader for R.1
: Mr.K.Saravanan
Government Advocate for R.2

O R D E R

The present writ petition is filed against the order passed by the second respondent dated 04.06.2018 rejecting the request of the petitioner for being considered for appointment of Panchayat Secretary.

2. When the matter is taken up for hearing, the learned Additional Government Pleader and the learned Government Advocate



appearing for the respondents would submit that as against the impugned order, the petitioner preferred an appeal to the first respondent on 31.07.2018 and no orders are passed in the appeal. Therefore, the learned Counsel for the respondents would submit that when the appeal is pending finalization, the present writ petition filed by the petitioner is not maintainable.

3. At this juncture, the learned Counsel appearing for the petitioner would submit that a direction may be given to the first respondent to dispose of the appeal dated 31.07.2018 within a time to be stipulated by this Court.

4. In view of the submission made by the learned Counsel appearing for the parties, the Writ Petition is disposed of with the following direction:

"The first respondent is directed to dispose of the appeal submitted by the petitioner on 31.07.2018, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Till the appeal is disposed of, the respondents shall maintain status quo."

No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Thoothukudi,
Thoothukudi District.
2. The Special Officer/Block Development Officer,
Village Panchayat,
Thoothukudi Panchayat Union,
Pudhukottai,
Thoothukudi District.

+ 1 CC TO Mr.V.PERUMAL, ADVOCATE IN SR No. 89830
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 90487

SSL

TE/RSK/SAR-1 : 30/10/2018 : 2P/5C