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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.10258 of 2018
and
W.M.P. (MD) No.9293 of 2018

M.Subramanian

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The 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

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 appointment of the petitioner as Panchayat Clerk in any one of the vacancy in the Panchayats under the control of the third respondent's Panchayat union based on the petitioner's application dated 29.03.2018 within the period stipulated by this Court.

For Petitioner
For Respondents

: Mr.Ananth C.Rajesh
: Mrs.J.Padmavathy Devi
Special Government Pleader
for R1 and R2

: Mr.V.R.Shanmuganathan
for R3

ORDER

The Writ Petition is filed seeking a direction to the respondents to consider the appointment of the petitioner as Panchayat Clerk in any one of the vacancy in the Panchayats under the control of the third respondent's Panchayat union, based on the



petitioner's application, dated 29.03.2018 within the stipulated period as fixed by this Court.

2. The case of the petitioner is that he was appointed as a part-time panchayat clerk in the Aayirapperi Village Panchayat on 14.03.1998 and subsequently, his service was regularized. Thereafter, the newly elected panchayat President has not allotted any work to him. Thereafter, he came to know that the third respondent is going to fill up the post of panchayat secretaries in the vacancy places under his jurisdiction. Hence, he made an application dated 29.03.2018 seeking appointment. However, no action is forthcoming till then. Hence, the petitioner has approached this Court by filing this Writ Petition.

3. Heard the learned Counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned Counsel appearing for the third respondent and perused the materials available on record.

4. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the respondents are directed to consider the representation/application of the petitioner dated 29.03.2018 seeking for appointment, in the available vacancy and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

Ssl

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

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



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

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+1CC TO MR.ANANTH.C.RAJESH, Advocate Sr. No. 59093

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and

W.M.P. (MD) No.9293 of 2018

03.04.2019

DB (CO)

TR (09.05.2019) 3P 5C