



WEB COPY

W.P.(MD)No.24944 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

and

THE HONOURABLE MRS.JUSTICE **R.THARANI**

W.P.(MD)No.24944 of 2019

and

W.M.P.(MD)No.21521 of 2019

V.Annadurai

... Petitioner

Vs

1.The Secretary to Government,
Department of Rural Development and Panchayatraj,
Secretariat, St.George Fort,
Chennai - 600 009.

2.The District Collector,
Tiruchirappalli District, Tiruchirappalli.

3.The Assistant Director,
(Village Panchayat), Collectorate Complex,
Tiruchirappalli.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from proceeding with the recruitment process in pursuance of the recruitment notification dated 27.03.2018 issued by the concerned Block Development Officers for the post of Panchayat Secretary in various village panchayat in Tiruchirappalli District and consequently directing the respondents to initiate fresh recruitment process after issuing proper recruitment notification and following the due process of law.

For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader

ORDER

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

This writ petition has been filed questioning the selection to the post of Secretary to the Village Panchayat in Trichirappalli District. The only ground canvassed before us is by stating that the selection is made by conducting an interview. Firstly, the petitioner seeks for a relief which is admittedly a matter



concerning a service of a Panchayat Secretary appointed to administer the administration of the Village Panchayat in the absence of an elected body. Therefore, since the challenge is to a service matter, a Public Interest Litigation is not maintainable.

2. Furthermore, it is common knowledge that there are several posts which are filled up by a selection process which consists only an oral interview. There are other category of posts where there are written examination followed by a oral test and some posts which are filled up by preliminary examination followed by a main examination, further followed by an oral interview. Different yardstick has to be applied depending upon the recruitment rules.

3. All these cannot be questioned by the petitioner in a Public Interest Litigation. Furthermore, the relief sought for is sweeping in nature. There is no necessity to set aside any notification or order and such a prayer cannot be entertained that to as a Public Interest Litigation.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
Department of Rural Development and Panchayatraj,
Secretariat, St. George Fort, Chennai - 600 009.

2. The District Collector,
Tiruchirappalli District, Tiruchirappalli.

3. The Assistant Director,
(Village Panchayat), Collectorate Complex,
Tiruchirappalli.

+1 CC to M/s.D. SHANMUGARAJA SETHUPATHI, Advocate SR-100971

+1 CC to M/s.Special Govt.Pleader (SR-101532[F] dated 26/11/2019)

W.P. (MD)No.24944 of 2019

and

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25.11.2019

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