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W.P.No.26975 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

Writ Petition No.26975 of 2022

A.Krishnamoorthy

... Petitioner

-Vs-

1. The District Collector,
District Collector Office,
Thiruvannamalai District.

2. The Deputy Director Town Development Department,
District Collector Office,
Thiruvannamalai District.

3. The Deputy Divisional Development Officer,
Divisional Development Office,
Kelpennathur,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of Writs of Mandamus, directing the respondents herein to consider the representation of the petitioner herein dated 30.06.2022 and to take appropriate action in accordance with law within a stipulated period.

For Petitioner : Mr.D.Padmanabhan

For Respondents : Mr.T.K.Saravanan
Government Advocate

ORDER



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This Writ Petition is disposed of, at the time of admission, after hearing the learned counsel for the petitioner and the learned Government Advocate for the respondents without expressing any opinion on the merits of the case.

2. The specific case of the petitioner is that the Panchayat President has made an appointment to the post of Panchayat Secretary, contrary to Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 notified by G.O.(Ms).No.72 Tamil Nadu Rural Development and Panchayat Raj (E5) Department dated 09.07.2013. That apart, it is submitted that the appointment was made by the Panchayat President by fixing a Agenda contrary to Rule 89(2) of the Tamil Nadu Panchayat Act 1994.

3. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Government Advocate for the respondents.

4. Considering the fact that the petitioner has not arrayed the Panchayat President against whom the allegation has been made, I am not inclined to make any observations on merits of the case. Suffice to state the petitioner's representation dated 30.06.2022 shall be considered by the first respondent, the



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District Collector, Thiruvannamalai District.

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5. In view of the above, the writ petition stands disposed of by directing the first respondent to consider the petitioner's representation dated 30.06.2022 and pass appropriate orders on merits and in accordance with law within a period of 30 days from the date of receipt of a copy of this order. Before passing such orders, appropriate notice shall be issued to the Panchayat President against whom the petitioner has made allegation. No costs.

07.10.2022

Index: Yes/No
Speaking order: Yes/No
SHA/rgm

To

1. The District Collector,
District Collector Office,
Thiruvannamalai District.
2. The Deputy Director Town Development Department,
District Collector Office,
Thiruvannamalai District.
3. The Deputy Divisional Development Officer,
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C.SARAVANAN, J.



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