



W.P.(MD)No.14799 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.14799 of 2020

P.Vasudevan

... Petitioner

Vs.

1. The District Collector,
Trichy,
Trichy District.

2. The Special Officer,
Block Development Officer,
Thottiyam Panchayat Union,
Trichy District.

3. T.Renuka

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for records of the impugned appointment order of the third respondent for the post of Panchayat Secretary in Seelaipillaiyarputhur Panchayat passed by the second respondent in செ.மு.ஆ.2.979.2018 dated 21.11.2019, quash the same and consequently, direct the respondents to appoint the petitioner as Panchayat Secretary in Seelaipillaiyarputhur Panchayat.



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For Petitioner : Mr.C.Susi Kumar
for A.Balaji

For Respondents : Mrs.K.Christy Theboral
Addl. Govt.. Pleader for R1 and R2
No appearance for R3

ORDER

This Writ Petition has been filed to call for the records of the impugned appointment order of the third respondent for the post of Panchayat Secretary in Seelaipillaiyarputhur Panchayat passed by the second respondent in செ.மு.ஆ.2.979.2018 dated 21.11.2019, quash the same and consequently, direct the respondents to appoint the petitioner as Panchayat Secretary in Seelaipillaiyarputhur Panchayat.

2. The learned counsel appearing for the petitioner would submit that the petitioner has participated in the selection process to the post of Panchayat Secretary at Seelaipillaiyarputhur Panchayat and he is the resident of the said Seelaipillaiyarputhur Village. But without considering his candidature, the third respondent was selected though she did not belong



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to the said Village. Challenging the appointment of the third respondent, the present Writ Petition has been filed.

3. The learned Additional Government Pleader appearing for the official respondents would submit that though the petitioner has filed the present Writ Petition challenging the appointment of the third respondent on 21.11.2019, however, the third respondent was relieved from the said post on 11.02.2021 and joined in the Office of the Assistant Commissioner of Labour, Namakkal through Tamil Nadu Public Service Commission. Hence, no further order is required to be passed in the Writ Petition.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. The facts in the present case are not in dispute. Admittedly, the petitioner has participated in the selection process to the post of Panchayat Secretary in Seelaipillaiyarputhur Panchayat and he is the resident of the said Village. But without considering his candidature, the third respondent



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was selected to the post of Panchayat Secretary, on the sole ground, the present Writ Petition has been filed. As rightly pointed out by the learned Additional Government Pleader that since the third respondent was selected through Tamil Nadu Public Service Commission and got appointment in the office of the Assistant Commissioner of Labour, Namakkal, she was subsequently relieved on 11.02.2021. However, the rejection order passed by the second respondent is not a bar for the petitioner to participate in the future selection process, if any vacancies arises.

6. Accordingly, this Writ Petition is closed with liberty to the petitioner to participate in the future selection process, if any vacancy arises.

No costs.

01.02.2023

NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji



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