



W.P(MD)No.8342 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 27.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8342 of 2023

and

W.M.P.(MD)No.7675 of 2023

Kadamangalam Panchayat,
Rep. by its Executive Officer / President,
P.Kaali.

... Petitioner

Vs.

- 1.The Director,
Rural Development and Panchayat Raj Department,
Saidapet, Chennai – 600 015.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Personal Assistant
to District Collector,
O/o. The Collector,
Ramanathapuram District,
Ramanathapuram.
- 4.The Assistant Director,
Panchayats,
Ramanathapuram District.
- 5.The Block Development Officer,
Village Panchayat,



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Kamuthi Panchayat Union,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned reply notice vide in Na.Ka.B4/1447/2021 dated 24.02.2022 passed by the 5th respondent and quash the same as illegal and consequently direct the 1st to 4th respondents to declare the Kadamangalam Village Panchayat Secretary post as vacant and to issue notification to fill up the above said post of Panchayat Secretary in the Kadamangalam Village Panchayat, Kamuthi Panchayat Union, Ramanathapuram District.

For Petitioner : Mr.M.Karthikeyavenkitachalapathy

For Respondents : Mr.T.Vilavankothai,
Addl. Government Pleader for R1 to R4.
Mr.A.K.Manikkam,
Spl. Government Pleader for R5.

ORDER

Heard the learned counsel on either side.

2.The petitioner before this Court is a local body. It is beyond dispute that the post of Panchayat Secretary in the petitioner's panchayat



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fell vacant. The grievance of the petitioner is that the said post is not being declared as vacant. For the last several months, a person is functioning as in-charge Panchayat Secretary. When the factual position is that there is no regular panchayat secretary, the post should be declared as vacant and steps must be taken to fill up the same. The respondents are directed to ensure that the vacancy in the post of Panchayat Secretary in Kadamangalam panchayat is recognized and it is also filled up within a period of twelve weeks from the date of receipt of a copy of this order on regular basis.

3.This writ petition is allowed accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

27.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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