



W.P.(MD).No.5277 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.11.2023

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.5277 of 2016

and

W.M.P.(MD).Nos.4721 of 2016 and 13359 of 2023

Manamelpatti Panchayat,
Represented by its President,
M.R.Chinniah,
Manamelpatti Union,
Thirupathur Taluk,
Sivagangai District.

.. Petitioner

Vs.

1.The District Collector,
Collectorate Complex,
Sivagangai District,
Sivagangai.

2.The Personal Assistant to District Collector,
O/o. Collector of Sivagangai District,
Sivagangai.

3.The Block Development Officer,
Thiruppathur Taluk,
Sivagangai District.

.. Respondents



W.P.(MD).No.5277 of 2016

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Declaration, to declare that the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules 2013 issued under G.O.Ms.No.72 Rural Development and Panchayat Raj (E5) Department dated 09.07.2013 as ultra vires to the Constitution of India as it is violative of Article 14, 16 and 243 to 243-O of the Constitution of India.

For Petitioner : No appearance
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The Writ Petition has been instituted to declare the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 issued under G.O.Ms.No.72, Rural Development and Panchayat Raj (E5) Department dated 09.07.2013 as unconstitutional.

2. The learned Additional Government Pleader appearing for the respondents furnished a copy of G.O.Ms.No.113, Rural Development and



W.P.(MD).No.5277 of 2016

Panchayat Raj (E5) Department dated 13.09.2023, repealing the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 issued in the impugned G.O.Ms.No.72.

3. Pursuant to the Tamil Nadu gazette notification dated 13th September, 2023 and in exercise of the powers conferred by Sub-section (1) of Section 102 of Tamil Nadu Panchayats Act, 1994, 2023 Rules are brought in. Rule 26 provides repeal and saving and Sub Rule states that the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 is repealed. That being the factum, no further adjudication needs to be undertaken and accordingly, the Writ Petition stands closed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (V.L.N.,J.)
28.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



W.P.(MD).No.5277 of 2016

To

WEB COPY

1. The District Collector,
Collectorate Complex,
Sivagangai District,
Sivagangai.
2. The Personal Assistant to District Collector,
O/o. Collector of Sivagangai District,
Sivagangai.
3. The Block Development Officer,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



W.P.(MD).No.5277 of 2016

S.M.SUBRAMANIAM,J.
and
V.LAKSHMINARAYANAN,J.

Lm

W.P.(MD).No.5277 of 2016

28.11.2023