



W.P.No.8406 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8406 of 2022

and

WMP.Nos.8357 & 8358 of 2022

M.Selvan

... Petitioner

Vs

1. The Director,
Directorate of Rural Development and Panchayat,
Panagal Maligai, Abdul Razzak St,
Saidapet, Chennai - 607 105.
2. The Collector,
Tiruvannamalai District,
Tiruvannamalai.
3. The Additional Collector / Project Director,
District Rural Development,
Tiruvannamalai.
4. The Special Officer,
The Block Development Officer,
Chengam Panchayat Union,
Tiruvannamalai District.
5. The President,
Neepathurai Panchayat,
Chengam Taluk, Tiruvannamalai District.



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6. V. Ragunesh,
The Panchayat Secretary,
Neepathurai Panchayat,
Chengam Taluk,
Tiruvannamalai District.

Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to Na.Ka.No.1 of 2021 dated 26.02.2021 passed by the fifth respondent and quash the same and thereby directing the respondents to appoint the petitioner as Panchayat Secretary, Neepathurai Panchayat, in a time bound period.

For Petitioner : No appearance
For R1 to R3 : Mr. V.Veluchamy
Additional Government Pleader
For R4 & R5 : Mr.M.Alagu Gautham

ORDER

The writ petition has been filed challenging the order of appointment dated 26.02.2021 passed by the fifth respondent and also for a direction to the respondents to appoint the petitioner as Panchayat Secretary, Neepathurai Panchayat, in a time bound period.



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2. The petitioner had applied for the post of Panchayat Secretary as per the recruitment notification issued by the fourth respondent, for filling up the vacancies in Dharmapuri District. However, the petitioner was not appointed and the sixth respondent was appointed as Panchayat Secretary for Neepathurai Panchayat, Chengam Taluk, Thiruvannamalai District.

3. The grounds raised by the petitioner is that he is senior to the sixth respondent and he obtained graduation in both degrees with M.Sc (First Class). The sixth respondent was appointed with the influence of the politicians and also violating the rules and procedures. Though, the petitioner applied under the Right to Information Act, 2005, for the resolution passed by the Panchayat, the petitioner was not served with any information with regard to the appointment of the sixth respondent, so far.

4. On perusal of the counter affidavit filed by the second respondent reveals that the notification was issued on 09.11.2019, thereafter, called upon the application for the post of Panchayat Secretary. For the said notification of 3 posts vacant, the petitioner is one of the candidates. After



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interview, the relevant original documents as per the educational qualifications are verified. Thereafter, the sixth respondent was declared as successful candidature for the post of Panchayat Secretary to the Neepathurai Village Panchayat.

5. The petitioner is qualified for M.Sc. degree and the sixth respondent is qualified for MBA (Marketing), whereas the sixth respondent secured 412 marks in the SSLC and the petitioner scored less marks than the sixth respondent in the 10th standard. As per the notification, eligible qualification for the post of Panchayat Secretary is 10th standard. Therefore, based on the 10th standard qualification, the sixth respondent was given preference and he also scored high marks in the interview. Therefore, the sixth respondent is selected to the post of Panchayat Secretary.

6. In view of the above, this Court finds no infirmity or illegality in the impugned order passed by the fifth respondent and the writ petition is devoid of merits.



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7. In the result, this Writ Petition is dismissed. No costs.

Consequently, the connected miscellaneous petitions are closed.

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Index:Yes/No

Neutral Citation/Yes/No

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The Block Development Officer,
Chengam Panchayat Union,
Tiruvannamalai District.
5. The President,
Neepathurai Panchayat,
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6. V. Ragunesh,
The Panchayat Secretary,
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