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W.P.No.8804 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

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THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.8804 of 2021
and W.M.P.Nos.9335 & 9339 of 2021

M.Rasu

... Petitioner

Vs.

- 1.The Inspector of Panchayat Cum District Collector,
Dharmapuri, Dharmapuri District.
- 2.The Block Development Officer,
Dharmapuri, Dharmapuri District.
- 3.The President cum Executive Authority,
Puzhuthikarai Village Panchayat,
Dharmapuri District 635 202.

4.Athimoolam

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent passed in his impugned proceedings bearing Na.Ka.No.2737/2019/E6 dated 26.02.2021 and to quash the same and consequently, direct the respondents 1 to 3 to appoint the post of Secretary for Puzhuthikarai Village Panchayat, Dharmapuri District 635 202 as per the provisions of Tamilnadu Panchayat Act 1994.



For Petitioner : Mr.S.Arokia Maniraj

For Respondents : Mr.R.U.Dinesh Rajkumar, AGP for R1
Mrs.Monika Krishnan for
Mrs.U.Yamuna Devi,
Spl.G.P for R2 & R3

ORDER

This Writ Petition has been filed for quashment of the proceedings of the second respondent passed in Na.Ka.No.2737/2019/E6 dated 26.02.2021 and consequently, direct the respondents 1 to 3 to appoint the post of Secretary for Puzhuthikarai Village Panchayat, Dharmapuri District 635 202 as per the provisions of Tamilnadu Panchayat Act 1994.

2. Heard the learned counsel on either side and also perused the material available on record.

3. The petitioner has completed his Higher Secondary School Education in the year 2003 through Tamil Medium and he belongs to Adi Dravidar Community. The second respondent called for applications to the post of Village Panchayat Secretary for Puzhuthikarai Village and the petitioner applied for the post. Thereafter, an interview was conducted and the petitioner has participated in the interview. The second respondent without



following the provisions contained in the Panchayat Act and Rules, appointed the fourth respondent by adopting summary procedure on his own accord. Against which, the petitioner has filed the present petition.

4. The learned counsel for the petitioner submitted that the second respondent has appointed the fourth respondent on his own accord which is contrary to the Rules and hence, the petitioner has no other option except to approach this Court by way of this petition.

5. The learned Additional Government Pleader appearing for the first respondent submitted that the main qualifications to be appointed for the post of Village Panchayat Secretary of the Puzhuthikarai Panchayat is that the applicant should belong to the Scheduled Caste Community, should have completed the age of 18 years, should not have crossed the age of 35 years and should also have completed 10th standard. He further submitted that the Selection Committee had selected one Adhimoolam based on the answers of the administrative questions and based on the long-term age factor of the said person who is aged 27 years at the time of interview. But the petitioner has reached the deadline age of 35 years which is deemed un-suitable for the long term employment to the post of Village Panchayat Secretary. He also



submitted that the Block Development Officer of Dharmapuri District had selected the fourth respondent, after following the proper procedure.

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6. In view of the submissions made by the learned Additional Government Pleader, this Court finds that after following the proper procedure, the second respondent had selected the fourth respondent and hence, this Court is of the considered opinion that the order of the second respondent warrant no interference.

7. Accordingly, this Writ Petition stands dismissed. Consequently, connected Miscellaneous Petitions are also closed. No costs.

02.09.2024

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Index : Yes / No

Internet : Yes / No

To

1.The Inspector of Panchayat Cum District Collector,
Dharmapuri, Dharmapuri District.

2.The Block Development Officer,
Dharmapuri, Dharmapuri District.

3.The President cum Executive Authority,



Puzhuthikarai Village Panchayat,
Dharmapuri District 635 202.

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VIVEK KUMAR SINGH, J.

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