



WEB COPY

W.P.No.15259 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.15259 of 2021
and W.M.P.No.16151 of 2021

S.Revathi

... Petitioner

Vs.

1.The District Collector,
Kallakurichy District.

2.The Special Officer/ Block Development Officer (V.P)
Ilayanarkuppam Panchayat,
Rishivandhiyam Union,
Sankarapuram Taluk,
Kallakurichy District.

3.Tha.Jayanthis

... 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 relating to (1) Pro.Na.Ka.No.B2/2293/2020 dated 25.02.2021 and (2) resolution No.85 dated 24.02.2021 of the second respondent to quash the same and to issue consequential direction to the respondents to appoint the petitioner as Panchayat Secretary of Ilayanarkuppam Village Panchayat, Rishivanthiyam Union, Kallakurichi District in the place of the third respondent.



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For Petitioner : Mr.T.Panchatsaram
For Respondents : Mr.R.U.Dinesh Rajkumar,
AGP for R1 & R2

ORDER

This Writ Petition has been filed for quashment of the proceedings of the second respondent in Pro.Na.Ka.No.B2/2293/2020 dated 25.02.2021 and Resolution No.85 dated 24.02.2021 and to direct the respondents to appoint the petitioner as Panchayat Secretary of Ilayanarkuppam Village Panchayat, Rishivanthiyam Union, Kallakurichi District in the place of the third respondent.

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

3. The petitioner belongs to the Most Backward Class community and she has completed SSLC in March 2002 and thereafter completed one year Diploma Course in Computer Teacher Training. The petitioner had registered her name in the District Employment Exchange and renewing the same periodically. The Block Development Officer, Rishivandhiyam Block Kallakurichy District had called for applications for appointment to the post



of Panchayat Secretary in Ilayanarkuppam Village Panchayat which had been reserved for Most Backward Class and the applicant should have completed 10th standard and the upper age limit had been prescribed as 35 years as on 01.07.2020. Thereafter, the petitioner has applied for the post and called on for the interview. But the Block Development Officer, Rishivandhiyam Block, Kallakurichy District, had appointed some other person instead of the petitioner. Immediately, the petitioner submitted a representation to the District Collector, Kallakurichi stating that the petitioner was on the verge of attaining the age of 35 years on 08.04.2021 and request to appoint her as Panchayat Secretary of Ilayanarkuppam Panchayat.

4. The learned counsel for the petitioner submitted that the order of appointing a junior in Employment Exchange Registration and who is younger in age is unsustainable considering the fact that the petitioner will be attaining the age of 35 years on 08.04.2021 and the third respondent herein may get future appointment.

5. The learned Additional Government Pleader appearing for the respondents submitted that the Block Development Officer of Rishivandhiyam Block, Kallakurichy District had selected the third



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 Block Development Officer of Rshivandhiyam Block, Kallakurichy District had selected the third 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 Petition is also closed. No costs.

02.09.2024

vkr

Index : Yes / No

Internet : Yes / No

To

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VIVEK KUMAR SINGH, J.



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