



W.P.No.15700 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.15700 of 2020
and W.M.P.No.19542 of 2020

S.Elango

... Petitioner

Vs.

1.The District Collector,
Vellore District,
Vellore.

2.The Block Development Officer,
Kaniyampadi Block Development Office,
Kaniyampadi,
Vellore District.

3.Vignesh
Respondents

...

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the entire records in respect of the communication dated 05.08.2020 in Na.Ka.No.269/2020 and quash the same and consequently direct the second respondent to appoint the petitioner for the post of Panchayat Secretary of Palambakkam Village Panchayat, Vellore Taluk & District.

For Petitioner : Mr.D.Rajagopal



W.P.No.15700 of 2020

For Respondent 1 : Mr.M.Rajendiran,
Additional Government Pleader

WEB COPY

For Respondents 2 & 3 : Mr.S.V.Durai Solaimalai

ORDER

This writ petition has been filed to call for the entire records in respect of the communication dated 05.08.2020 in Na.Ka.No.269/2020 and quash the same and consequently direct the second respondent to appoint the petitioner for the post of Panchayat Secretary of Palambakkam Village Panchayat, Vellore Taluk & District.

2. The case of the petitioner is that the petitioner belongs to Scheduled Caste Arunthathiyar Community. On 19.11.2019, the second respondent issued a notification, calling for the post of Panchayat Secretary for Palambakkam Panchayat, Vellore Taluk & District. The petitioner has applied for the said post under Schedule Caste and priority quota, since he married inter caste. In this regard, the petitioner has also sent representation to the Chief Minister Cell and District Collector with all necessary certificates. On 08.01.2020, the second respondent sent a communication to the petitioner that his request will be considered at the the time of interview, but they have



W.P.No.15700 of 2020

not considered his application.

WEB COPY

3. Hence, the petitioner has filed a writ petition before this Court in W.P.No.3081 of 2020, seeking direction to call the petitioner for interview and this Court vide its order dated 26.02.2020, dismissed the same on the ground that the petitioner's application was rejected. In this regard, the second respondent has sent a communication in Na.Ka.No.Aa1/269/2020 dated 05.08.2020 to the petitioner's counsel stating that the candidature of the petitioner has been rejected. Challenging the same, the petitioner has come forward with the present writ petition.

4. Learned counsel for the petitioner submitted that the notification was issued by the second respondent on 09.11.2019 for the post of Panchayat Secretary. The petitioner belongs to Scheduled Caste Arundhathiyar and the main contention of the petitioner is that in the notification, the rotation column mentioned as Adi Dravidar, however it has not specifically excluded Arunthathiyar from filing application. Further nothing was mentioned in the turn column. Further, in the Community Certificate issued by the Revenue Authorities states that as per S.No.5, Arunthathiyar is placed under



W.P.No.15700 of 2020

Scheduled Caste and Scheduled Tribes Act, 1976.

WEB COPY

5. Learned counsel appearing for the second respondent submitted that the second respondent has already sent a communication in Na.Ka.No.Aa1/269/2020 dated 05.08.2020 to the petitioner's counsel informing that the post of Panchayat Secretary for Palambakkam Village Panchayat is only pertaining to the category of Scheduled Caste and not for Scheduled Caste Arunthathiyar. Moreover, the second respondent by his proceedings Na.Ka.No.A1/2485/2019, dated 01.09.2020 has appointed the third respondent viz., Vignesh as Panchayat Secretary, Palambakkam Village Panchayat.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In the case on hand, the notification dated 09.11.2019 was issued by the second respondent for appointment to the post of Panchayat Secretary of Palambakkam Village and the same is only meant for Scheduled Caste



W.P.No.15700 of 2020

category and not for Scheduled Caste Arunthathiyar category. Hence, the petitioner is not eligible for the appointment and for the said reason, he is not called for an interview and certificate verification.

8. In view of the above factual matrix of the case, this Court is not inclined to interfere with the communication vide Na.Ka.No.269/2020 dated 05.08.2020 passed by the second respondent, which is liable to be confirmed and the same is hereby confirmed.

9. In the result, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

19.11.2024

(vm)

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

Page No.5 of 7



W.P.No.15700 of 2020

1.The District Collector,
Vellore District,
Vellore.

2.The Block Development Officer,
Kaniyampadi Block Development Office,
Kaniyampadi,
Vellore District.

J.SATHYA NARAYANA PRASAD,J.

vm

W.P.No.15700 of 2020



WEB COPY



W.P.No.15700 of 2020

19.11.2024