



W.P.No.19968 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.19968 of 2020
and W.M.P.No.24650 of 2020

Elavarasi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Nagapattinam,
Nagapattinam District – 611 001.

2.The Personal Assistant to the Collector (Development),
Collectorate,
Nagapattinam District – 611 001.

3.The Special Officer/Block Development Officer,
Mayiladuthurai Taluk,
Nagapattinam District.

4.The President,
Panchayat Board,
Pandaravadai Mappadugai,
Mayiladuthurai Taluk,
Nagapattinam District.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying
for issuance of Writ of Certiorarified Mandamus calling for the records



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relating to the notification made in Na.Ka.No.1167/2018/Aa1 dated 08.11.2019 by the third respondent and quash the selection process for the appointment of the Village Panchayat Secretary in as much as the fourth respondent consequently directing to carry out the recruitment process through the appointment committee in consonance with the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 by calling upon the eligible candidates like the petitioner.

For Petitioner : Mr.S.Conscious Ilango

For Respondents 1 to 3 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 4 : Mr.B.Jawhar

ORDER

This writ petition has been filed to call for the records relating to the notification made in Na.Ka.No.1167/2018/Aa1 dated 08.11.2019 by the third respondent and quash the selection process for the appointment of the Village Panchayat Secretary in as much as the fourth respondent consequently directing to carry out the recruitment process through the appointment committee in consonance with the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 by calling upon the eligible candidates like the petitioner.



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2. The case of the petitioner is that she was graduate in mathematics and applied for the post of Village Panchayat Secretary in Mayiladuthurai Panchayat Union, Nagapattinam District, called for by the third respondent vide Na.Ka.No.1167/2018/Aa1 dated 08.11.2019. In addition to that, on the same day i.e., on 22.11.2019, the petitioner has also applied to the post of Panchayat Secretary in Murugamangalam Panchayat. However, the petitioner was not called for to attend the interview. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner submitted that the petitioner belongs to Backward Class Community (Kallar) and married to a person belonging to other community. Hence, her case may be considered under priority category.

4. Learned Additional Government Pleader appearing for the respondents submitted that the petitioner has not enclosed any document to substantiate her claim that she comes under priority category. Moreover, the Pandaravadai Mapadugai Village Panchayat, which the petitioner has applied



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for the post of Village Panchayat Secretary comes under open category and not under priority category.

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5. Learned Additional Government Pleader appearing for the respondents would further submit that if the letter of intimation for interview was not received by the petitioner, such opportunity will be given since the selection has not yet been finalised till date due to the pendency of this writ petition.

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

7. In view of the above facts and circumstances of the case, this Court is inclined to pass the following directions:

(i) The petitioner is directed to submit the inter caste marriage certificate issued by the competent authority to the third respondent within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of the above marriage certificate, the third respondent



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shall consider the same in accordance with law within a period of three weeks thereof.

(iii) If the petitioner is found eligible as per the rules in force, the third respondent may send a interview call letter to the petitioner and her case may also be considered with the persons, who have already attended the interview held on 05.10.2020 and 28.12.2020.

8. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petition is closed.

25.11.2024

(vm)

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

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J.SATHYA NARAYANA PRASAD,J.

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