



W.P.No.3970 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.12.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.3970 of 2022

and

W.M.P.No.4117 of 2022

1. P.Pappathi
 2. M.Irusayee
- ... Petitioners

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.
 2. The Block Development Officer (Village Panchayat),
Kallakurichi Panchayat Union,
Villupuram District.
 3. Ka.Mamanandal Panchayat,
Rep.by its President,
Ka.Mamanandal,
Villupuram District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking to issue Writ of Certiorari calling for the records relating to the order of the 2nd



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respondent dated 31.01.2022 in Na.Ka.No.A1/0533/2022 and quash the same.

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For Petitioners : Mr.K.Selvaraj

For Respondents : Ms.S.Anitha
Special Government Pleader
for R1 and R2

ORDER

The above writ petition is filed seeking to quash the order dated 31.01.2022 passed by the second respondent in Na.Ka.No.A1/0533/2022.

2. The short facts which have given rise to the filing of the writ petition are herein below set out :

(a)The petitioners were appointed as Sweepers in the 3rd respondent-Panchayat, during October 2019 on a consolidated pay of Rs.2,600/- per month. They have been discharging the duties to the satisfaction of their superiors. That being the case, the President of the 3rd respondent-Panchayat, in order to accommodate the persons of his choice namely one Sangeetha and



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Periyayee, was determined to terminate the service of the petitioners.

(b) The petitioner would submit that they worked continuously for a period of three years in the 3rd respondent-Panchayat and there has been no complaint with reference to the work executed by them. Their families are also totally dependant on the meagre pay that is being earned by the petitioners.

(c) It appears that the President of 3rd respondent-Panchayat has sent a letter to the second respondent on 27.01.2022, directing the second respondent to terminate the services of the petitioners and to appoint the said Sangeetha and Periyayee in their place, stating that the petitioners are unable to discharge the duties owing to their age. This absolutely is false, inasmuch as the petitioners are aged 46 years and 50 years respectively and by no stretch of imagination can they be called old.

(d) On the basis of this letter, the second respondent directed the Deputy Block Development Officer to inspect the office of the 3rd respondent and submit his report. It appears that the 3rd respondent has influenced the second respondent as well as the Deputy Block Development Officer to give a report against the petitioners.



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(e) Thereafter, without any charge memo, notice and enquiry, the petitioners

have been terminated by virtue of impugned order.

Aggrieved by the same, the petitioners are before this Court in the present writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1 and 2.

4. A mere perusal of the impugned order would clearly show that the second respondent has simply followed the lines given in the letter addressed by the 3rd respondent Panchayat to terminate the services of petitioners. The impugned order would further reveal that no notice has been issued to the petitioners nor they have been given an opportunity to submit their explanations / objections to the letter issued by the third respondent, and by totally flouting the principles of natural justice, the impugned order has been passed. Affording an opportunity to the persons charged, to put forth their case is a cornerstone of justice, which is not adhered to in the instant case.



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Therefore, the impugned order is arbitrary and cannot be sustained.

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5. Accordingly, the writ petition stands allowed and the impugned order of the second respondent dated 31.01.2022 in Na.Ka.No.A1/0533/2022, is hereby quashed. No costs. Consequently, connected miscellaneous petition is closed.

01.12.2025

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Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking orders



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To:

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1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The Block Development Officer (Village Panchayat),
Kallakurichi Panchayat Union,
Villupuram District.



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P.T. ASHA, J,

ds

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