



W.P.No.12193 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.12193 of 2018 and
W.M.P.No.14223 of 2018 and
W.M.P.No.28154 of 2022

Ilayakanthan

... Petitioner

Vs.

- 1.The State of Tamil Nadu, Rep. by its
Secretary of Government,
Rural Development and Panchayat Department,
Fort St.George, Chennai 600 009.
- 2.The District Collector,
Vellore District, Vellore.
- 3.The Block Development Officer,
(Village Panchayats), Walajah Union,
Walajah, Vellore District.
- 4.The Special Officer, / President,
Chettithangal Panchayat,
Walajah Union, Ranipet,
Vellore District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,



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to issue a Writ of declaration declaring the impugned Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 issued by the 4th respondent vide G.O.Ms.No.72, dated 09.07.2013, Rural Development and Panchayat Raj (E5) Department as null and void ultravires to the provisions of Constitution of India and Tamil Nadu Panchayats Act, 1994 and consequently, direct the respondents to regularise the services of the petitioner as Village Assistant of the third respondent Panchayat w.e.f 31.05.2015 and pay the salary, allowances and all other attendant benefits to the petitioner with interest at the rate of 12 percent p.a. from the date of due till the date of payment.

(Prayer amended as per order dated 19.12.2024 in W.M.P.No.36455 of 2024)

For Petitioner : Mr.K.Premkumar

For Respondents : Mr.T.Chezhiyan, AGP for R1 & R2
: Mr.L.S.M.Hasan Fizal, AGP for R3 & R4

ORDER

This Writ Petition has been filed to declare the impugned Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 issued by the 4th respondent vide G.O.Ms.No.72, dated 09.07.2013, Rural Development and Panchayat Raj (E5) Department as null and void ultravires to the provisions of Constitution of India and Tamil Nadu Panchayats Act, 1994 and consequently, direct the respondents to regularise the services of the petitioner as Village Assistant of the third

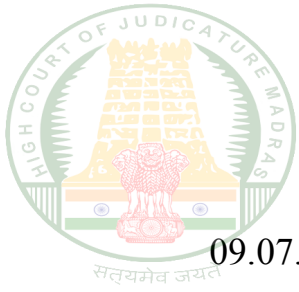


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respondent Panchayat w.e.f 31.05.2015 and pay the salary, allowances and all other attendant benefits to the petitioner with interest at the rate of 12 percent p.a. from the date of due till the date of payment.

2. Heard Mr.K.Premkumar, learned counsel for the petitioner, Mr.T.Chezhiyan, learned Additional Government Pleader for R1 & R2 and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader for R3 & R4 and perused the materials available on record.

3. The very same Government Order has been put to challenge in the earlier Writ Petitions filed in W.P. (MD) Nos.7851 of 2014 etc. batch of Writ Petitions. The said Writ Petitions were heard along with W.A.(MD) No.1772 of 2023 by the learned Division Bench. Since the petitioners in those Writ Petitions have challenged the *vires* of the impugned order passed in G.O.Ms.No.72, dated 09.07.2013, it has been placed before the Division Bench. After hearing those petitions, the Writ Appeal has been disposed and the Writ Petitions were disposed as having become infructuous in view of the new Government Order passed refixing the impugned Government Order in G.O.Ms.No.72, dated



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09.07.2013.

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4. As this Writ Petition has been filed challenging the same Government Order which was a subject matter of earlier Writ Petitions before the Division Bench and same was disposed as having become infructuous, this Writ Petition is liable to be dismissed.

5. In the result, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

13.02.2025



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- To
- 1.The Secretary to Government,
Rural Development and Panchayat Department,
Fort St.George, Chennai 600 009.
 - 2.The District Collector,
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 - 3.The Block Development Officer,
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R.N.MANJULA, J.

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