



W.P.No.10278 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 01.07.2025

CORAM :
THE HONOURABLE MRS. JUSTICE N.MALA

Writ Petition No.10278 of 2020

K.Ajithkumar

... Petitioner

Vs.

1.The District Collector,
Salem District,
Salem.

2.The Block Development Officer (V.P),
Edappady Panchayat Union,
Edappady,
Salem District.

3.M.Kandasamy

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Declaration declaring the selection and appointment of the third respondent made by the respondents 1 and 2, to the post of Panchayat Secretary to Vembaneri Village, reserved for 'Adi-Dravidar' pursuant to the notification in Na.Ka.No.1212/2018/Thi.3 dated 11.11.2019 issued by the second respondent, as illegal, null and void; consequentially direct the respondents 1 and

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2 to appoint the petitioner to the post of Panchayat Secretary of Vembaneri Village

WEB Panchayat in Edappady Panchayat Union in Salem District.

For Petitioner : Mr.P.Rajavelu

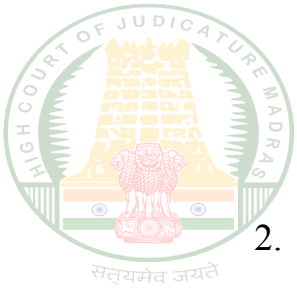
For Respondent 1 : Mr.M.Suresh Kumar,
Additional Advocate General
Assisted by Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 2 : Mr.M.Digvijaya Pandian

For Respondent 3 : Mr.P.Mani

ORDER

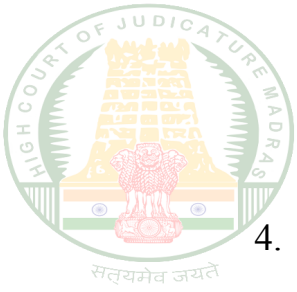
This writ petition has been filed by the petitioner to declare the selection and appointment of the third respondent made by the respondents 1 and 2, to the post of Panchayat Secretary to Vembaneri Village, reserved for 'Adi-Dravidar' pursuant to the notification in Na.Ka.No.1212/2018/Thi.3 dated 11.11.2019 issued by the second respondent, as illegal, null and void; consequentially direct the respondents 1 and 2 to appoint the petitioner to the post of Panchayat Secretary of Vembaneri Village Panchayat in Edappady Panchayat Union in Salem District.



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2. Learned counsel for the petitioner submitted that the petitioner is a Diploma holder in Textile Technology and belongs to Scheduled Caste-Adi Dravidar Community. This being the case, the second respondent issued a notification in Na.Ka.No.1212/2018/Thi.3, dated 11.11.2019 calling for application to the post of Village Panchayat Secretary for Vembaneri Village Panchayat in Edappady Panchayat Union, Salem District and the said post is reserved and allotted to Adi-Dravidar (Scheduled Caste).

3. Learned counsel for the petitioner would further submit that being the qualified candidate belonging to Adi-Dravidar community and resident of Vembaneri Village, the petitioner is eligible for appointment to the post of Village Panchayat Secretary. But, the respondents 1 & 2 selected and appointed the third respondent, who does not belongs to Adi-Dravidar, community but Arnthathiyar community as Panchayat Secretary of Vembaneri Village Panchayat, reserved for Adi-Dravidar. Challenging the aforesaid notification dated 11.11.2019, the petitioner has come forward with the present writ petition.

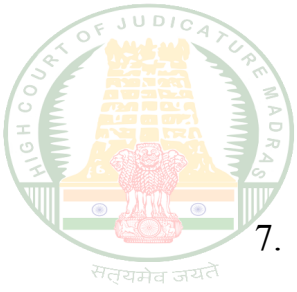


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4. Learned counsel appearing for the first respondent submitted that the third respondent viz., Kandasamy belongs to Arunthathiyar Community, since he has secured more marks than other candidates, he was selected for the post of Panchayat Secretary by the interview committee.

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

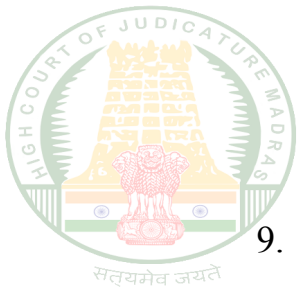
6. This Court vide its order dated 06.12.2024 directed the respondents to produce a copy of the Interview Team Report, which contains the details of the total number of candidates who attended the interview; what are the marks secured by each of the candidates by way of typed set of papers. But, the first respondent has submitted some of the documents pertaining to the selection, which contains only the percentage of marks secured by the selected candidates and there is no mentioning about the break up details and the learned Additional Government Pleader further submitted that the Interview Team Report, which contains the break up details of the marks secured by each candidates is missing and not available on the office of the second respondent (BDO).



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7. Pursuant to the above, this Court directed the first respondent/District Collector, Salem to produce the Interview Team Report, which is in possession of second respondent/Block Development Officer (V.P), Edappady Panchayat Union, Edappady, Salem on 01.07.2025.

8. Today, when the matter was taken up for hearing, learned Additional Advocate General appearing for the respondents 1 & 2 produced a status report of the second respondent and submitted that pursuant to the notification, totally 52 applications were received by the respondents for the post of Panchayat Secretary. Out of which, 47 applied directly and 5 candidates from the District Employment Exchange, Salem district. All the above 52 applications were verified and scrutinized on 08.06.2020 by the team comprising of the then Panchayat President, concerned Zonal Deputy Block Development Officer, concerned Deputy Block Development Officer (Panchayat), second respondent and Block Development Officer (Block Panchayat) of Edappady Block. After the scrutinization on 08.06.2020, out of the total received 52 applications, 18 applications were rejected and 34 applications were found to be fit for interview.



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9. On the date of interview i.e., on 01.07.2020, out of the total 34 candidates, 18 candidates appeared for the interview and 16 candidates were absent. After the interview, 5 candidates were filtered from the 18 candidates. Among the 5 candidates, third respondent belongs to Scheduled Caste-Arunthathiyar Community and secured 75.41% marks in the higher secondary course and also known to drive two wheelers.

10. In the case on hand, the petitioner has secured 68.50% in +2, whereas the third respondent who was appointed to the post of Panchayat Secretary by the respondents 1 & 2 has secured 75.41%, which is higher than the marks secured by the petitioner. Moreover, the age of the petitioner at the time of filing the writ petition is 23 years and as on date, his age is 27 years. Therefore, the petitioner is well within the age for consideration and he can apply in the future recruitment, called for by the respondents.

11. It is pertinent to note that the upper age limit for the Scheduled Caste category is 35 years. As on date the petitioner is 27 years old, he can very much apply in the future recruitment called for by the respondents 1 & 2. Moreover, this



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Court is observing that this is the first case, where the recruitment has been done

by the respondents 1 & 2 based on the marks secured in +2 or Higher Secondary marks, more particularly, in this case, the basic qualification for the post of Panchayat Secretary is only a pass in 10th standard.

12. In view of the above factual matrix of the case, it is open for the petitioner to apply in the future recruitment called for by the respondents 1 & 2 for the above said post of Panchayat Secretary. Hence, the notification issued by the second respondent vide Notification Na.Ka.No.1212/2018/Thi.3, dated 11.11.2019 does not warrant any interference by this Court and the same is liable to be confirmed. Accordingly, the same is confirmed.

13. In the result, this writ petition stands dismissed. No costs.

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

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N.MALA,J.

vm/dsn

To:

1.The District Collector,
Salem District,
Salem.

2.The Block Development Officer (V.P),
Edappady Panchayat Union,
Edappady,
Salem District.

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