



W.P.No.19817 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 13.06.2025

CORAM :

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.19817 of 2014

and

M.P.Nos.1 and 2 of 2014

1.R.Manimaran

2.C.Mathiyazhagan

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by its,
The District Collector,
Ariyalur District, Ariyalur.

2.The Block Development Officer,
T.Palur Panchayat Union,
T.Palur, Ariyalur District.

3.The President,
Kaduvettankurichi Panchayat,
Udayarpalayam Taluk,
Ariyalur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorarified Mandamus, to call for records of the 3rd respondent in connection with the impugned order passed in Resolution dated 31.07.2012 and quash the same and direct the respondents to re-instate the



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petitioner's into service with back wages and attendant benefits to secure the ends of justice, such other further relief.

For Petitioners : Mr.R.Sankarasubbu

For Respondents : Mr.K.H.R.Ravikumar
Government Advocate

ORDER

This writ petition has been filed challenging the Resolution dated 31.07.2012 passed by the fourth respondent resolving to discontinue the services of the petitioners.

2. Initially, the petitioners 1 and 2 herein were appointed temporarily as a Water Tank Operator and health worker (Sweeper) on 01.12.2000 and 01.10.2001 respectively in the third respondent panchayat and they have been worked as such till the year 2012. While so, in the year 2012, by virtue of the impugned Resolution, the services of the petitioners were dis-continued. It was aggrieved by the said Resolution, the petitioners approached this Court by filing the present Writ Petition in the year 2014. At the time of filing the Writ Petition, the petitioners were aged about 43 and 46 years respectively. As of now, the petitioners are aged about 54 and 57 years.



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3. In the counter affidavit filed by the respondents, it is stated that the appointment of the petitioners in the respective posts was contrary to the Government orders issued in G.O.Ms.Nos.118 and 119, Rural Development and Panchayat Raj (E5) Department dated 10.05.2000 and therefore the Government on coming to know about the various appointments made contrary to the aforesaid two Government Orders, issued a memorandum bearing R.C.No.A3/232/2012 dated 15.02.2012 to take action against all such illegal appointments made contrary to the said two Government Orders. Pursuant to the same, the impugned Resolution came to be passed.

4. According to the learned counsel for the petitioner, the services of the petitioners were discontinued by the President of the third respondent panchayat due to political reasons, especially because the petitioners did not support the third respondent in the previous elections. Thus, malafides were attributed to the third respondent for passing the impugned Resolution.

5. After examining the matter in detail and hearing the learned counsel for the petitioner and the learned Government Advocate for the respondents,



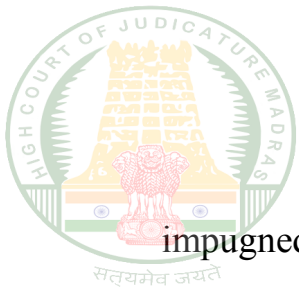
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this Court finds that there is no material placed before this Court to support the claim that the third respondent passed the impugned Resolution for malafide reasons or due to political affiliations. As seen from the memorandum dated 15.02.2012, the Government specifically directed all panchayats to take appropriate action against the appointments that were made in violation of G.O.Ms.Nos.118 and 119, Rural Development and Panchayat Raj (E5) Department, dated 10.05.2000. It was pursuant to the said memo, only, the third respondent appears to have passed the impugned Resolution.

6. In the light of the above, this Court is unable to find fault with the impugned Resolution, especially in the absence of any challenge to the above said two Government Orders and the Memorandum dated 15.02.2012.

7. Be that as it may, the petitioners herein were appointed in the years 2000 and 2001 in the third respondent panchayat and have worked till the year 2012 uninterruptedly, but the services of the petitioners were terminated without putting them on prior notice in an arbitrary manner. However, as this Court has already come to a conclusion that the impugned Resolution is passed in accordance with law, this Court is not inclined to interfere with the



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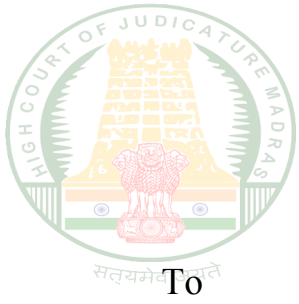
impugned Resolution on the ground of violation of principles of natural justice

WEB COPY while refusing to interfere with the impugned Resolution, this Court is inclined to direct the third respondent to consider the case of the petitioners for engaging their services, in case, if there are any vacancies that are available within the jurisdiction of the third respondent. The third respondent shall consider the cases of the petitioners' cases as directed above, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this order.

9. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
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To
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