

W.A.(MD)No.1408 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1408 of 2025
and
C.M.P.(MD)No.8407 of 2025**

- 1.The District Collector,
Collectorate,
Sivagangai District.
- 2.The Personal Assistant to Collector,
(Development), Collectorate,
Sivagangai District.
- 3.The Block Development Officer,
O/o the Block Development Officer,
Tirupattur Taluk, Sivagangai District.
- 4.The Panchayat President,
Mahipalanpatti Village,
Tiruppathur Taluk, Sivagangai District.

... Appellants

Vs.

Uma

... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.12751 of 2017 dated 21.08.2024 on the file of this Court.



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For Appellants : Mr.N.Satheeshkumar,
Addl. Government Pleader.

For Respondent : Mr.T.Aswin Raja

JUDGMENT

The district administration challenges the order dated 21.08.2024 allowing W.P.(MD)No.12751 of 2017 filed by the respondent herein.

2.The respondent herein was appointed as Panchayat Secretary on 03.05.2000. She was terminated from service on 15.06.2017 on the ground that she did not possess the requisite educational qualification for holding the post of Panchayat Secretary when she was initially appointed. It is not in dispute that the respondent herein / writ petitioner subsequently acquired the requisite educational qualification that is SSLC in the year 2009.

3.The learned Single Judge took note of the fact that for 17 long years, the writ petitioner was allowed to continue in service. Secondly, the writ petitioner was not at fault. She did not make any



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misrepresentation. It was the Panchayat President who had erred in appointing the writ petitioner even though the writ petitioner did not have the requisite qualification.

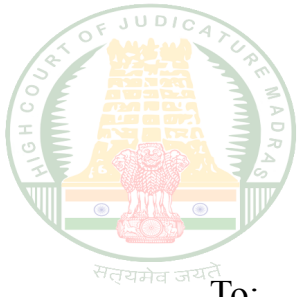
4.In a similar case, the Hon'ble Division Bench in W.A.(MD)No.1111 of 2024 dated 08.07.2024 took an equitable view and felt that non-possession of educational qualification at the time of appointment can be condoned. Such a view was taken by taking into account the long service put in by the appointee.

5.The same approach has been adopted in the present case. We are of the view that the equitable approach adopted by the learned Single Judge does not warrant interference. The writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
11.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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