



WP(MD). No.9981 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 31.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.9981 of 2025

and

WMP(MD)Nos.7430, 7431 &14109 of 2025

M.Dhanam

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai - 625 020.

2. The Personal Assistant (Development) to the Collector,
Madurai District Collectorate Buildings,
Madurai District, Madurai - 625 020.

3. The Block Development Officer,
Usilampatti, Madurai District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order passed by the 1st respondent in Na.Ka.no. 4923/2015/U.Va-8 dated 20.03.2025 and quash the same and directing the respondents to reinstate the petitioner in service with all attendant monetary benefits without any break in service.

For Petitioner : K.K.Kannan,

For Respondent : Mr.M.Siddharthan,
Additional Government Pleader



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ORDER

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This Petition is filed challenging the impugned order passed by the 1st respondent in Na.Ka.no. 4923/2015/U.Va-8 dated 20.03.2025 and to direct the respondents to reinstate the petitioner in service with all attendant monetary benefits without any break in service.

2. Heard the learned counsel on either side and perused the material available on record.

3. The petitioner had earlier approached this Court in W.P(MD)No.8360 of 2023 challenging the suspension issued by the first respondent. This Court holding that the petitioner had been working for more than 25 years and that the Tamil Nadu Village Panchayat Secretaries (Conditions and Service) Rules, 2013 have not been fulfilled, had set aside the order of suspension with a direction to re-instate the petitioner, but, without prejudice to the power of the respondents to take action as per law. Thereafter, the order of removal has been made, challenging which, the petitioner had approached this Court.



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4. Under the provisions of the 2013 Rules, the second respondent is the disciplinary authority, however, in the 2023 Rules, have been issued superseding 2013 Rules. Under the said Rules, the third respondent is the disciplinary authority in respect of the petitioner. Therefore, in any event, the first respondent is not the disciplinary authority under the 2013 Rules, he is the appellate Authority and as per 2023 Rules, he is the revisional authority. Therefore, the order impugned herein made by the first respondent is not in conformity with law.

5. For the aforesaid reasons, the impugned order herein is set aside. However, the respondents are at liberty to initiate action against the petitioner if they so desired. This Writ Petition stands allowed. No order as to costs. Consequently, connected Miscellaneous Petitions are closed.

31.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
LS

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K.KUMARESH BABU,J.

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