



WEB COPY

W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

and

W.M.P.(MD) Nos.14497, 14498, 16605 of 2020, 1844 of 2021 & 5037 of 2022

W.P.(MD) No.17334 of 2020:

M.Karpagavalli

... Petitioner

-vs-

- 1.The Inspector of Panchayats /
The District Collector
Virudhunagar District
- 2.The Personal Assistant to
Collector (Development)
Virudhunagar District
- 3.The Block Development Officer
(Village Panchayats)
Vembakkottai Panchayat Union
Vembakkottai
Virudhunagar District

4.S.Ponnuthai

5.Jeyakumar

... Respondents

Page 1 of 9



WEB COPY

W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned order of dismissal of the petitioner dated 03.06.2020 issued by the 4th respondent, as not valid and void under law and thereby quash the same as illegal and direct the 1 to 4 respondents to permit this petitioner to work as Village Panchayat Secretary in the P.Thiruvankadapuram Village Panchayat in Vembakkottai Panchayat Union in Virudhunagar District to her work without any interferences.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 to R3
Mr.J.Lawrance for R4

W.P.(MD) No.6489 of 2022:

M.Karpagavalli

... Petitioner

-VS-

1.The District Collector
Collectorate
(Development Section)
Virudhunagar – District
Virudhunagar

Page 2 of 9



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

WEB COPY

2.The Block Development Officer
(Village Panchayat)
Vembakkottai Panchayat Union
Vembakkottai
Virudhunagar – District

3.The Assistant Block Development Officer /
Administration
Vembakkottai Panchayat Union
Vembakkottai, Virudhunagar – District

4.S.Ponnuthai

5.Jeyakumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records pertaining to the order of the impugned order vide 30506/2021/R2 dated 10.11.2021 issued by the 1st respondent and quash the same as void and not valid.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1 to R3
Mr.J.Lawrance for R4
No appearance for R5



WEB COPY



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

COMMON ORDER

W.P.(MD) No.17334 of 2020 has been filed challenging the impugned order dated 03.06.2020, passed by the fourth respondent, dismissing the petitioner from service.

2. W.P.(MD) No.6489 of 2020 has been filed by the very same petitioner challenging the order dated 10.11.2021, passed by the first respondent, rejecting the petitioner's request to reinstate her into service in some other Panchayat.

3. Since the issue involved in both the writ petitions are one and the same, they are disposed of by a common order.

4. In the disciplinary proceedings initiated against the petitioner by the respondent – Panchayat, on account of irregularities alleged to have been committed by the petitioner, the Enquiry Officer found the petitioner guilty of all the charges framed against her and based on the enquiry report, the Disciplinary Authority / fourth respondent has passed the impugned order dated 03.06.2020 dismissing the petitioner from service.



WEB COPY

W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

5. The petitioner was working as Panchayat Secretary and has been dismissed from service under the impugned order dated 03.06.2020. During the pendency of W.P.(MD) No.17334 of 2020, the petitioner chose to give a representation to the first respondent seeking to reinstate her into service in some other Panchayat and the same has been rejected under the impugned order dated 10.11.2021, which is the subject matter of challenge in W.P.(MD) No.6489 of 2022.

6. Initially, in W.P.(MD) No.17334 of 2020, the petitioner was having the benefit of interim stay of operation of the impugned order dated 03.06.2020 dismissing her from service. But, however, the interim stay was not extended periodically as seen from the earlier proceedings of this Court. As on date, the petitioner is not having the benefit of any interim stay of operation of the impugned order dated 03.06.2020 dismissing her from service. The fifth respondent has been appointed as Panchayat Secretary by the fourth respondent in place of the petitioner on 10.06.2020. Admittedly, the petitioner has not challenged the fifth respondent's appointment as Panchayat Secretary in her place till date, even though the first writ petition is of the year 2020.



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

WEB COPY

7. In the counter affidavit filed by the official respondents in W.P. (MD) No.17334 of 2020, a categorical stand has been taken that the fifth respondent has been appointed as Panchayat Secretary in place of the petitioner on 10.06.2020 itself. In fact, the fifth respondent has been appointed as Panchayat Secretary in place of the petitioner pursuant to the directions issued by this Court in the writ petition filed by the fifth respondent.

8. Having not challenged the fifth respondent's appointment as Panchayat Secretary in place of the petitioner before the court of law and that too when the petitioner, as on date, is not having the benefit of interim stay of the operation of the impugned order dated 03.06.2020, passed by the fourth respondent, dismissing her from service, the question of entertaining both the writ petitions, at this belated stage, after a lapse of five years from the date when the fifth respondent was appointed to the post of Panchayat Secretary in place of the petitioner, does not arise. This Court is not going into the respective contentions raised by the respective parties and only on the ground that the fifth respondent is already replaced as Panchayat Secretary as early



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

WEB COPY

as in the year 2020 itself and the petitioner has not challenged his appointment, this Court does not find any merit in these writ petitions. Unless and until the petitioner has conclusively established before this Court through conclusive evidence that she has been improperly and illegally dismissed from service, the question of interfering with the impugned orders, at this belated stage when the petitioner has not acted diligently by challenging the appointment of the fifth respondent, who has been replaced as Panchayat Secretary, does not arise.

9. In the result, there is no merit in both the writ petitions and the same are, therefore, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

23.10.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

krk

To:

1.The Inspector of Panchayats /
The District Collector,
Virudhunagar District.



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

WEB COPY

- 2.The Personal Assistant to
Collector (Development),
Virudhunagar District.
- 3.The Block Development Officer,
(Village Panchayats),
Vembakkottai Panchayat Union,
Vembakkottai,
Virudhunagar District.
- 4.The Assistant Block Development Officer /
Administration,
Vembakkottai Panchayat Union,
Vembakkottai, Virudhunagar – District.



WEB COPY



W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

ABDUL QUDDHOSE, J.

krk

W.P.(MD) Nos.17334 of 2020 & 6489 of 2022

and

W.M.P.(MD) Nos.14497, 14498, 16605 of 2020, 1844 of 2021 & 5037 of 2022

23.10.2025