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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.16306 of 2023 and 35561 of 2025

and W.M.P(MD).Nos.13645, 24438 of 2023 and 28221 of 2025

W.P(MD).No.16306 of 2023

N.Karthikeyan

... Petitioner

Vs.

1.The District Collector,
Trichy, Trichy District.

2.The Block Development Officer,
Uppliyapuram Union,
Trichy District.

3.The Deputy Block Development Officer,
Uppliyapuram Union,
Trichy District.

4.The President,
Angiyam Panchayat,
Angiyam Village,
Uppliyapuram Union,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to proceedings issued by the second respondent Block



Development Officer in N.A.K.A2/770/2020 dated 28.02.2023 quashing the same and the letter issued by the fourth respondent panchayat President dated 20.03.2023 quashing the same and directing the respondents 1 to 4 to conduct the petitioner's interview for the post of panchayat Secretary of Angiyam Village.

W.P(MD).No.35561 of 2025

N.Karthikeyan

... Petitioner

Vs.

1.Tamilnadu State
rep., by Additional Chief Secretary,
(Rural Development and Panchayatraj),
Chief Secretariat,
Chennai 600 009.

2.The Commissioner,
Rural Development and Panchayatraj,
Chief Secretariat,
Chennai 600 009.

3.The District Collector,
Thiruchirappalli,
Thiruchirappalli Collector Office,
Thiruchirappalli 620 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents not to publish the result only for post of Angiyam Panchayat Secretary and direct the respondents to keep vacant the same post till orders passed in pending W.P(MD).No.16306 of 2023.



In both petitions

For Petitioner

: Mr.M.Kameshwaran

For Respondents

: Mr.Ajmalkhan

Additional Advocate General

assisted by Mr.G.V.Vairam Santhosh

Additional Government Pleader

COMMON ORDER

The Petitioner has applied for the post of Panchayat Secretary in Angiyam Village on 20.03.2020, pursuant to a notification issued for the said post on 18.03.2020. However, the vacancy was not filled up at the relevant point of time due to the outbreak of the COVID-19 pandemic. In this context, the petitioner filed a writ petition before this Court in W.P.(MD) No.750 of 2023, seeking a direction to consider his application and to conduct an interview for the post of Panchayat Secretary in Angiyam Village.

2. Based on the limited relief sought for by the petitioner that it would suffice if the third respondent therein, namely the President, considers his representation dated 16.12.2022 on its merits, this Court disposed the said writ petition directing the third respondent to consider the petitioner's representation dated 16.12.2022 on merits and in accordance with law.



3. Pursuant thereto, the representation of the petitioner was considered by the third respondent/President, who informed that the earlier notification issued in the year 2020 had lapsed and that the selection process would be undertaken only after obtaining necessary directions from the Government.

4. However, the third respondent /President has issued hall ticket to the petitioner on 25.02.2023 calling upon him to appear for an interview on 01.03.2023. Considering the manner in which the President has issued a hall ticket to the petitioner, the Block Development Officer, by his proceeding dated 28.02.2023 directed the President of Angiam Village to keep the process pending till necessary instructions are received from the Government. This intercommunication of the Block Development Officer to the third respondent Panchayat President dated 28.02.2023 in Na.Ka.No.A2/770/2020 is challenged by way of a writ petition before this Court in W.P(MD).No.16306 of 2023. Pending this writ petition, the respondents have proceeded with recruitment of Panchayat Secretaries based on the Tamil Nadu Village Panchayat Secretaries (Condition of Service) Rules, 2023. Therefore, the petitioner filed the second writ petition in W.P.(MD).No.35561 of 2025 seeking a writ of mandamus not to publish the result for the post of Angiam panchayat Secretary till the disposal of the writ petition in W.P(MD).No.16306 of 2023.



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5. Since both the writ petitions are connected, both are taken up together and disposed of by this common order.

6. The learned counsel for the petitioner would contend that the post of Panchayat Secretary, Angiam Village, was vacant as early as in the year 2020 and that a notification for filling up the said post was also issued in the year 2020. Therefore, the vacancy ought to be filled up strictly in accordance with the Rule that were in force at the relevant point of time. According to the learned counsel, the petitioner has earlier filed a writ petition, which was disposed of by this Court directing the Panchayat President to pass orders on the representation of the petitioner and accordingly, the Panchayat President has also issued a hall ticket to the petitioner and other eligible candidates on 25.02.2023. However, the Block Development Officer without any authority of law has stalled the selection process at the relevant point of time. Challenging the same, the petitioner has filed a writ petition in W.P(MD).No.16306 of 2023, which requires consideration and that order passed by the Block Development Officer dated 28.02.2023 is liable to be set aside.



7. The learned Additional Advocate General appearing for the respondents submits that in practice, the Panchayat Secretaries were appointed by the respective Panchayat Presidents. Upon change in the administration, the newly elected presidents used to remove the existing panchayat secretaries and appoint new panchayat Secretaries of their choice. As a result of such practice, several litigations were pending at the relevant point of time.

8. Considering the manner in which the powers of appointment were misused by the respective Panchayat Presidents, the Government framed the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013, vesting the power of appointment of Panchayat Secretaries with the Personal Assistant to the District Collector. However, the said Rules were challenged before this Court by way of writ petitions.

9. In the interregnum, the Government, in exercise of the powers conferred under Sub-Section (1) of Section 102 of the Tamil Nadu Panchayats Act, 1994, repealed the 2013 Rules and framed a new set of Rules in the year 2023. As per the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2023, the post of Village Panchayat Secretary shall be filled up only through an open competitive recruitment process conducted by the District



Recruitment Bureau, and the appointment shall thereafter be made by the respective President/Executive Authority of the Village Panchayat. Pursuant to this Rules, the Government has also issued certain guidelines for the mode of selection and appointment of Village Panchayat Secretaries vide G.O.Ms.No. 198, Rural Development Panchayati Raj Department, dated 04.09.2025. As per this guidelines, the Panchayat Secretary shall be selected based on the evaluations of the marks obtained in the 10th Standard Examination and performance during the interview.

10. The learned Additional Advocate General also submits that new recruitment process was notified as per the Rule 2023 and all the posts including the vacant posts of Angiam village has been called for and the applications are under process.

11. This Court considered the rival submissions made and perused the materials on record.

12. The petitioner is an aspirant for the Village Panchayat Secretary post and he has also applied for the Village Panchayat Secretary of Angiam Village. The petitioner has also filed a writ petition before this Court in W.P(MD).No.



750 of 2023 seeking a writ of mandamus directing the respondents therein to conduct an interview for the post of Panchayat Secretary in Angiyam Village. Though the petitioner has filed the above writ petition for a larger relief, when the writ petition was taken up for hearing, the petitioner has confined his relief for considering his representation alone.

13. Considering the limited relief sought for by the petitioner, this Court, without expressing anything on the merits of the claim made by the petitioner, has disposed the said writ petition on 12.01.2023 as under:

“.....

3.The learned counsel appearing for the petitioner would submit that it would suffice, if the third respondent is directed to dispose of the representation of the petitioner, dated 16.12.2022, on merits and in accordance with law, within a specified period.

4.The learned Government Advocate appearing for the third respondent has no serious objection for such an order being passed by this Court.

5.Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the petitioner's representation, dated 16.12.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.”



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14. The petitioner's representation was also considered by the President of the Angiam Panchayat on 20.03.2023 and it was rejected that the vacancy for the post of Panchayat Secretary for Angiam Village arose in the year 2020, notification was issued in the year 2020, however it was not filled up due to the COVID-19 pandemic and therefore, on completion of a period of one year, it lapsed as per G.O.Ms.No.30, Labour Welfare and Skill Development Department, dated 16.02.2021. While so, the President for the reasons best known to him has issued a hall ticket to the petitioner on 23.02.2023 calling upon this petitioner to appear for the interview on 01.03.2023. The Block Development Officer has directed the Panchayat president to stop the recruitment process by taking note that the President is proceeding with recruiting the post of Village Panchayat Secretary without following the guidelines in vogue. The selection of Panchayat Secretaries are guided by Rules framed in the year 2013 and again, another Rule has been framed in the year 2023 repealing the earlier Rule. Certain guidelines were also issued vide G.O.Ms.No.198, Rural Development and Panchayat Raj (E5) Department, dated 04.09.2025. In ***Shankarsan Dash vs. Union of India [(1991) 3 SCC 47]***, the Hon'ble Supreme Court has held that merely because vacancies are notified for appointment to a post and adequate number of candidates are found fit, it



cannot be said that the successful candidates acquire a vested right to be appointed. In view of the above discussion, this Court is not inclined to entertain the writ petition in W.P(MD).No.16306 of 2023.

15. Therefore, the writ petition in W.P(MD).No.16306 of 2023 is dismissed. Consequently, another writ petition in W.P(MD).No.35561 of 2025 is also dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

15.12.2025

NCC : Yes/No
Index : Yes/No
Rmk

To

- 1.The District Collector,
Trichy, Trichy District.
- 2.The Block Development Officer,
Uppliyapuram Union,
Trichy District.
- 3.The Deputy Block Development Officer,
Uppliyapuram Union,
Trichy District.
- 4.The President,
Angiyam Panchayat,



Angiyam Village,
Uppliyapuram Union,
Trichy District.

5. The Additional Chief Secretary,
(Rural Development and Panchayatraj),
Chief Secretariat,
Chennai 600 009.

6. The Commissioner,
Rural Development and Panchayatraj,
Chief Secretariat,
Chennai 600 009.



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12

B.PUGALENDHI,J.

Rmk

WP(MD)Nos.16306 of 2023 and 35561 of 2025

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