



WP(MD). No.31542 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/11/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.31542 of 2025

and

W.M.P(MD).Nos.24713 and 24716 of 2025

Maheswaran,

... Petitioner

Vs

1. The Director,
Rural Development and Panchayats,
Panagal Building,
Saidapet,
Chennai-15..
 2. The District Collector,
Madurai District,
Madurai..
 3. The Assistant Director of Panchayats,
Madurai District,
Madurai..
 4. The Special Officer Cum Block Development Officer,
Usilampatti Panchayat Union,
Usilampatti,
Madurai District..
- ... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records of the respondents in connection with the impugned notification in ந.க.எண்.3850582/2025/உள்.வ.8 dated 09.10.2025 issued by the second respondent through advertisement in daily thanthi newspaper dated 10.10.2025 and quash the same.

For Petitioner : Mr.A.Banumathy,
For R 2 : Mr.F.Deepak
Special Government Pleader
For R1,R3 and R4 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This Writ Petition has been filed calling for the records of the respondents in connection with the impugned notification in ந.க.எண்.3850582/2025/உள்.வ.8 dated 09.10.2025 issued by the second respondent through advertisement in daily thanthi newspaper dated 10.10.2025 and quash the same.

2. The learned counsel for the petitioner would submit that the petitioner has been working as a Panchayat Secretary at Seemanuthu



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Village, to which he was transferred on 22.01.2025 and that she was also given additional charge of Thottappanayakanur Village. He would further submit that there exists a vacancy of Panchayat Secretary only in respect of Thottappanayakanur Village and not Seemanuthu Village. However, under the impugned notification, vacancies have been notified in respect of Seemanuthu Village, where the petitioner has been regularly posted. Hence, such notification would amount to disturbing her position, to which she was transferred only on 22.01.2025.

3. Countering his arguments, the learned Special Government Pleader appearing for the second respondents would submit that by proceedings dated 30.09.2025, the petitioner had been transferred from Seemanuthu Village to Thottappanayakanur Village and that his posting at Seemanuthu Village had also been cancelled by an order passed on the same date. Therefore, as on the date of the impugned notification, a vacancy was available at Seemanuthu Village, which was liable to be filled up under the said notification.

4. In reply, the learned counsel for the petitioner would submit that the order dated 30.09.2025 had not been served upon the petitioner till



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the hearing of the writ petition and that it was served upon him only on 05.11.2025 by registered post. Therefore, he would submit that the order dated 30.09.2025 relied upon by the respondents is an afterthought.

5. I have considered the submissions made by the learned counsel on either side and perused the materials available on record.

6. The vacancy list produced by the petitioner has been disputed by the respondents on the ground that such list is not an approved one. However, the apprehension of the petitioner that he may be disturbed from Seemanuthu Village cannot be ignored. Even though an order of transfer is stated to have been issued to the petitioner, as alleged by the respondents, the same was communicated to the petitioner only on 05.11.2025. It is for the petitioner to challenge the said order in the manner known to law.

7. However, it is made clear that as on the date of issuance of the notification, there was no vacancy at Seemanuthu Village and the petitioner was holding the post of Village Secretary on that date. The



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respondents are at liberty to proceed with the notification; however, they shall fill up only those posts where vacancies actually exist without disturbing the existing incumbent in the respective village.

8. In view of the aforesaid reasons, this writ petition is dismissed.

No Costs. Consequently, connected miscellaneous petitions are closed.

12.11.2025

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TO

1. The Director,
Rural Development and Panchayats,
Panagal Building,
Saidapet,
Chennai-15..
2. The District Collector,
Madurai District,
Madurai..
3. The Assistant Director of Panchayats,
Madurai District,
Madurai..
4. The Special Officer Cum Block Development Officer,
Usilampatti Panchayat Union,
Usilampatti,
Madurai District..

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K.KUMARESH BABU,J

TTA

**ORDER
IN
WP(MD) No.31542 of 2025**

Date : 12/11/2025