



W.P(MD)No.30036 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.30036 of 2024

and

W.M.P(MD)Nos.25291 of 2024 & 920 of 2025

K.Abiram

..Petitioner

Vs

1. The District Collector
Nagercoil,
Kanyakumari District.

2. The Personal Assistant to District Collector (Development)
O/o. the Collector, Nagercoil,
Kanyakumari District.

3. The Assistant Director of Panchayat,
Collectorate, Nagercoil,
Kanyakumari District.

4. The Block Development Officer,
Block Development Office,
Killiyoor,
Kanyakumari District.

5. The Panchayat President,
Paloor Village Panchayat, Poottety Village,
Kanyakumari District.

..Respondent



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent vide See. Mu. Order A4/5809/2023 dated 23.08.2023 and quash the same as illegal and may consequently direct the respondents to permit the petitioner to continue his work as Panchayat Secretary of Palloor Panchayat.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.D.Sasikumar
Addl. Govt. Pleader (for R1 to R4)

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in See. Mu. Order A4/5809/2023 dated 23.08.2023, and to quash the same as illegal, and consequently direct the respondents to permit the petitioner to continue his work as Panchayat Secretary of Palloor Panchayat.

2. Heard the learned counsel for the petitioner, and the learned Additional Government Pleader appearing for the respondents 1 to 4. Perused the materials available on record.



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3. The learned counsel for the petitioner submitted that the impugned order has been passed without following the procedure contemplated under Section 202 of the Tamil Nadu Panchayats Act, 1994, and therefore, the same is unsustainable in law.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the impugned order was passed based on administrative reasons.

5. On a perusal of the impugned order dated 23.08.2023, it is evident that the same has been passed without following the mandatory procedure contemplated under Section 202 of the Tamil Nadu Panchayats Act, 1994. As per the said provision, any removal, suspension, or disciplinary action against a Panchayat Secretary must be preceded by a notice and a reasonable opportunity to the person concerned to submit an explanation. Non-compliance with this mandatory procedural safeguard vitiates the entire proceedings. Therefore, this Court is of the view that the impugned order has been passed in violation of the statutory procedure and the principles of natural justice, and hence cannot be sustained.

6. In view of the foregoing discussion, the impugned order passed by the first respondent in See. Mu. Order A4/5809/2023 dated 23.08.2023 is set aside. The matter is remitted back to the first respondent for fresh



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consideration. The first respondent is directed to issue notice to the petitioner, afford him a reasonable opportunity of personal hearing, and thereafter pass a speaking and reasoned order in accordance with law, within a period of two (2) months from the date of receipt of a copy of this order.

7. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

22.10.2025

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

To

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Kanyakumari District.

2. The Personal Assistant to District Collector (Development)
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5. The Panchayat President,
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P.T.ASHA, J.

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