



WEB COPY



WA No. 2125 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 2125 of 2023

AND

CMP NO. 18106 OF 2023

Tamilselvi
Panchayat President,
Kuruvappanaickanoor Panchayat,
Maanupatty PO, Udumalpet T.K 642 154.

..Appellant

Vs

1. V.S.Sivaji
S/o Late Subbaiyan, No 2/54,
Guruvappanaickanoor Village, Manupatti Post,
Udumalpet Taluk, Tiruppur District.
2. The Block Development Officer
Udumalpet Panchayat, Udumalpet, Tiruppur
District.
3. The District Collector
Collectorate, Tiruppur.

.. Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the Order dated 02.01.2023 in WP.No. 7217 of 2011.

For Appellant :

Mr.Maheshnath A.

For Respondents :

Mr.Babu Rangasamy, for R1,
Ms.A.Suganya, Government Counsel for R2 & R3



WA No. 2125 of 2023

WEB COPY

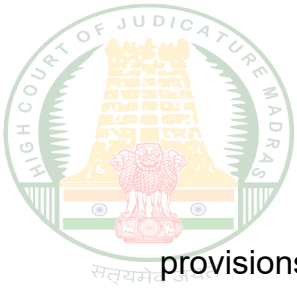
Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present intra court appeal has been filed challenging the writ order dated 02.01.2023 made in W.P.No.7217 of 2011.

2. The first respondent served as a water tank operator at Kuruvappanaickanoor Village Panchayat and he served about 22 years continuously from the year 1986 onwards. He was removed from service without providing adequate opportunity in compliance of the principles of natural justice. Therefore, the writ Court considered the issues and allowed the writ petition on the ground that rules of natural justice had not been complied with. That apart, ratification from the Panchayat before issuing the order of removal from service. Thus, the order of removal has to be considered as non-est in law.

3. It is brought to the notice of this Court that the first respondent employee died and the Writ Court already directed the Panchayat to settle the terminal benefits due to the first respondent who is no more. The fact remains that the first respondent served in the Panchayat Union for more than 22 years and he was removed in violation of the principles of natural justice. That apart, no document was filed to substantiate that a resolution has been passed by the Panchayat for removing the employee from service in compliance with the



WA No. 2125 of 2023

provisions of the Statute and Rules in force. Thus, the order of removal was found to be infirm and the writ petition came to be allowed by the learned Single Judge.

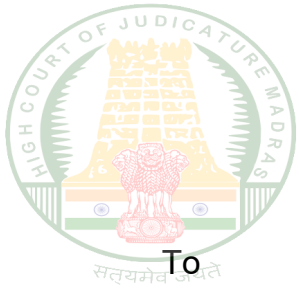
4. It is also to be noted that the writ appeal has been filed by one Tamilselvi , the then President of the Panchayat in her personal capacity, which cannot be entertained. The writ appeal has not been filed by the Panchayat Union. For all these reasons, this Court does not find any merit to interfere with the order and thus the writ appeal stands dismissed. No costs. Consequently connected miscellaneous petition is closed.

5. However, the official respondents are directed to settle the terminal benefits due to the deceased employee / first respondent within a period of eight weeks from the date of receipt of a copy of this order.

(S.M.S.,J.) (N.S.,J.)
04-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



WA No. 2125 of 2023

To

WEB COPY

1. The Block Development Officer
Udumalpet Panchayat, Udumalpet, Tiruppur
District.
2. The District Collector
Collectorate, Tiruppur.



WEB COPY



WA No. 2125 of 2023

**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

KST

**WA No. 2125 of 2023
AND
CMP NO. 18106 OF 2023**

04-06-2026

Page5 of 5