



WEB COPY

W.P. No.23514 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23514 of 2022

and

W.M.P. No.22478 of 2022

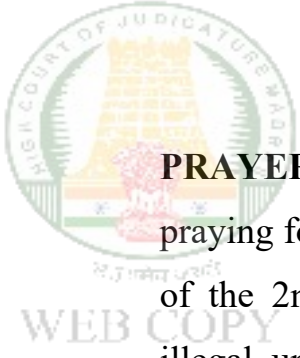
S.Dharani
D/o.Sekar,
No.5/497, Arunthathiyar Palayam,
Venkundram Village, Vandavasi Taluk,
Tiruvannamalai District.

..Petitioner(s)

Vs

1. The Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, 4th and 5th Floor,
Abdul Razzak St, Saidapet, Chennai – 600015.
2. The District Collector,
Collector office, Tiruvannamalai District.
3. The P.A to District Collector (Development),
Collectorate, Collector Office,
Tiruvannamalai District.
4. The Assistant Director,
District Rural Development, Tiruvannamalai District.
5. The Block Development Officer,
Vandavasi, Tiruvannamalai District.
6. The President,
Sennavaram Village, Vandavasi Taluk,
Tiruvannamalai District.

..Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records relating to the proceedings of the 2nd respondent in Na.Ka.No.11568/2022/PA.E.2 dated 24.08.2022 as illegal, unconstitutional and quash the same.

For Petitioner(s): Mr.S.P.Harikrishnan

For Respondent(s): Mr.Yogesh Kannadasan
Special Government Pleader (for R1 to R6)

No appearance (for R5 & R6)

ORDER

The present writ petition is filed seeking for a writ of Certiorari challenging the order of the 2nd respondent dated 24.08.2022, whereby the petitioner's appointment as Panchayat Secretary was cancelled.

2. Learned counsel for petitioner would submit that petitioner's appointment was under Tamil Nadu Village Panchayat Secretaries (Condition of Service) Rules, 2013. He would further submit that 2013 Rules has been superseded and rules made vide G.O.Ms.No.113 dated 13.09.2023 i.e., Tamil Nadu Village Panchayat Secretaries (Condition of Service) Rules, 2023 is relevant for appointment of Panchayat Secretaries. It is stated that though the 2013 Rules provided for Appointment Committee comprising of Personal Assistant (Development) to Collector, Assistant Director (Panchayat) and Block Development Officer (Village Panchayat) of the block concerned. However, the



above Rules was the subject matter of challenge in a batch of matter before this Court and as a consequence, it was Village Panchayat President who was appointing the Village Secretaries. Importantly, he would submit that Rule 26 – Repeal and Saving clause of 2023 Rules also provides that 2023 Rules shall not affect any person holding the post of Village Panchayat Secretary on the date of coming into force of 2023 Rules.

3. At this stage, the learned Special Government Pleader for respondents 1 to 4 would submit that there is no stay order and in view thereof there is also possibility of the post of Village Secretary having been filled up through fresh appointment. Therefore, it is only appropriate for the petitioner to submit a representation relying upon the relevant case laws and other materials. He would thus submit that if any such representation is made, the same would be considered in accordance with law after affording the petitioner and other interested parties a reasonable opportunity of hearing. Agreed to by the learned counsel for petitioner.

4. In view thereof, the writ petition stands disposed of with liberty to the petitioner to submit a fresh representation before the appropriate authority. It is open to the petitioner to rely upon any decision, rules in support thereof. If any such representation is made by petitioner, the same shall be considered by 2nd respondent and appropriate orders shall be passed in accordance with law after



affording a reasonable opportunity of hearing to petitioner and other interested parties. it is made clear that the order of cancellation will not stand in the way if petitioner is otherwise found eligible for being appointed to the post of Village Secretary in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

12-03-2026

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



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MOHAMMED SHAFFIQ J.

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