



W.A.No.403 of 2026

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**W.A.No.403 of 2026
and
C.M.P.No.3720 of 2026**

1. The Secretary,
Rural Development and Panchayat Raj Department,
Secretariat,
Chennai – 600 009.
2. The Director,
Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai – 600 015.
3. The District Collector,
Thanjavur District Collectorate,
Thanjavur District.
4. The Personal Assistant (G),
Thanjavur District Collectorate,
Thanjavur District.

... Appellants

-Vs-

1. P.Murugan
2. The Block Development Officer,
Village Panchayats,
Panchayat Union Office,
Thiruvonam.

... Respondents



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PRAYER : Appeal filed under Clause XV of Letters Patent, against the order dated 19.03.2025 in W.P.No.30243 of 2024.

For Appellants : Mr.S.Yaswanth
Additional Government Pleader

For Respondents : Mr.M.Alagu Goutham
Government Advocate for R2

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This intra-Court appeal has been directed against the order dated 19.03.2025 made in W.P.No.30243 of 2024.

2. The case of the writ petitioner who is the first respondent herein was that, he was selected and appointed as Panchayat Secretary in Panikondan Viduthi, Kaduvetti Viduthi, Orathanadu Taluk at Thanjavur District on 29.11.1996. Thereafter, he had been rendering service in that capacity for more than 25 years and his service also got regularized. He was placed under Seniority No.6 in 2020-2021 panel and got included in the said panel fit for promotion to the next higher category, i.e, Junior Assistant / Village Welfare Officer, Grade II under 20% reservation scheme.



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3. However, subsequently a revised panel has been prepared on 30.12.2022 whereby his name has been omitted to be included, therefore, he had given representation and subsequently, it came to light that, at the time of entering into service, he was aged 29 years whereas as per the Rule which was in vogue, the upper age limit is 28 years and this position had come only by way of issuance of G.O.(Ms)No.245, Rural Development (E5) Department dated 04.08.1997, however the petitioner joined service on 29.11.1996 before G.O.(Ms)No.245 fixing the upper age limit 28 came into effect, therefore, that would not any way stand in the recruitment that has been made in respect of the writ petitioner to enter into service at the age of 29 years, was his case. Since the same was not considered, he had approached the writ Court by filing the said writ petition.

4. The writ Court also having considered a similar issue reported in **2024 INSC 1034 (Neutral Citation), Jaggo Vs. Union of India and others** has allowed the said writ petition stating that since it was a regular appointment and he has rendered service for 25 years and his service also had been regularized and he was otherwise fit enough to be included in the panel fit for promotion for 2020-2021 and omitting his name to be included in the panel for promotion is



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bad in law and therefore, the said writ petition was allowed through the impugned order.

5. Though this appeal has been filed assailing the said impugned order dated 19.03.2025, after having gone through the order, we do not find any merit in the said case. Mr.S.Yashwanth, learned Additional Government Pleader appearing for the appellants would submit that, during the pendency of the appeal before it is moved for admission, the Government has accepted the decision subject to the outcome of this writ appeal and passed a Government Order in G.O.(Ms)No.33, Rural Development and Panchayat Department (E7) dated 13.02.2026 by thus the order passed by the writ Court which is impugned herein having been accepted was directed to be implemented and the same was implemented on 27.02.2026, promotion has been given and the appointment order has been given in the promoted post, i.e., Rural Welfare Officer Grade-II to the first respondent / writ petitioner.

6. In view of the aforestated facts, where the impugned order having been accepted and complied with by the appellants and also we do not find any merit in the instant appeal filed before this Court against the order impugned dated 19.03.2025, we are inclined to dismiss this writ appeal, accordingly, the same is



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dismissed by recording the aforestated development of compliance. However, there shall be no order as to costs. Connected miscellaneous petition is closed.

(R.S.K., J.) (N.S., J.)
23.03.2026

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

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