



WP(MD)Nos.36746 of 2025 & 456 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2026

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CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)Nos.36746 of 2025 & 456 of 2026

&

WMP(MD)Nos.29192 of 2025 & 425 of 2026

Subhiksha : Petitioner in WP(MD).36746/2025

S.Krishna Mohan : Petitioner in WP(MD).456/2026

Vs.

1.The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai – 9.

2.The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai – 600 015.

3.The Principal Secretary / Director General,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai – 600 015.

4.The District Collector,
Theni District, Theni. : Respondents in WP(MD).
36746/2025



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1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai – 600 009.

2.The Commissioner,
Rural Development and Panchayat Raj,
Chennai – 15.

3.The District Collector,
Theni District,
Theni.

4.The PA to District Collector (Development),
Office of the Collectorate,
Theni District,
Theni.

: Respondents in WP(MD).
456/2026

PRAYER in WP(MD).36746 of 2025: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned communication published in the official website of the respondents 1, 2 & 3 dated 11.12.2025, quash the same and consequently, directing the respondents 1, 2 & 3 to continue with the recruitment process for appointment to the post of Panchayat Secretary and complete the same within a stipulated time limit.



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PRAYER in WP(MD).456 of 2026: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to proceed with the interview process for the direct recruitment to the post of Panchayat Secretary in pursuant to the call letter issued to the petitioner vide proceedings dated NIL issued by the second respondent and conclude the recruitment process in pursuant to the recruitment notification issued by the second respondent vide proceedings dated NIL published in the official website on 10.10.2025, by considering the petitioner's representation dated 15.12.2025.

For Petitioner : Mr.M.Pitchai Muthu
in WP(MD).36746/2025

Mr.H.Mohammed Imran
in WP(MD).456/2026

For Respondents: Mr.Ajmal Khan,
Additional Advocate General
Assisted by
Mr.G.V.Vairam Santhosh,
Additional Government Pleader
[In both WPs]



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COMMON ORDER

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WP(MD)No.36746 of 2025 has been filed by one of the candidates to the post of Panchayat Secretary challenging the communication dated 11.12.2025 issued on the official website of the respondents, whereby the interview scheduled to be held on 12.12.2025 for the said post was postponed citing administrative reasons.

2.WP(MD)No.456 of 2026 has been filed by another candidate to the same post seeking a writ of mandamus directing the respondents to proceed with the interview process as per the original notification and to conclude the same within a reasonable time frame.

3.Since both the writ petitions pertain to the same recruitment process for the post of Panchayat Secretary, they were heard together and are disposed of by this common order.

4.According to the petitioners, the Rural Development and Panchayat Raj Department issued a notification dated 10.10.2025 inviting applications



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from eligible candidates for appointment to the post of Panchayat Secretary, pursuant to which the petitioners submitted their applications.

They were thereafter issued call letters to attend the interview scheduled on 12.12.2025. However, on 11.12.2025, the respondents informed through their official website that the interview had been postponed due to administrative reasons. As a result, the selection process initiated under the original notification came to a halt.

5.Learned Counsel for the petitioners submitted that the recruitment process is governed by the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2023, and therefore, the respondents are duty-bound to complete the selection process without any undue or unreasonable delay. On this ground, the present writ petitions have been filed.

6.Per contra, the learned Additional Advocate General appearing for the respondents, by referring to the communication of the Additional Chief Secretary to the Government, Rural Development and Panchayat Raj



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Department, dated 08.01.2026, submitted that a majority of the District Level and Block Level officers were deployed for election-related duties in connection with the Special Intensive Revision (SIR) of electoral rolls underway in the State of Tamil Nadu. Consequently, there is administrative difficulty in conducting interviews for the post of Panchayat Secretary. It was further submitted that the officers involved in the recruitment process were also appointed as Assistant Electoral Registration Officers for the upcoming Legislative Assembly Elections. Therefore, the administration is facing constraints in conducting interviews, verifying candidates, and allocating selected candidates to appropriate postings. However, it was clarified that the temporary postponement would not affect the validity of the shortlist already prepared and that all shortlisted candidates would continue to remain eligible to attend the interview.

7.Learned Additional Advocate General further submitted that upon completion of election-related duties and restoration of normal administrative functioning, the interview process would be resumed. According to him, the interviews would be completed within a period of



eight weeks from the date of completion of the SIR of electoral rolls and other election-related duties.

8.This Court has considered the rival submissions and perused the materials placed on record.

9.The Secretary of the Village Panchayat is a full-time Government servant drawing a regular time-scale of pay. The Panchayat Secretary is responsible for administrative functions and maintenance of records and is the sole executive staff assisting the Village Panchayat. The Panchayat Secretary serves as the grass-root link for both Rural Development schemes and Panchayat Raj institutions and is responsible for implementing various Central and State-sponsored welfare schemes in villages.

10.Initially, recruitment to the post of Village Panchayat Secretary was governed by the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013, under which appointments were made through direct recruitment from candidates sponsored by the District



Employment Exchange. Under the said Rules, the Personal Assistant (Development) to the District Collector would call for a list of eligible candidates from the District Employment Office, and appointments were thereafter made by an Appointments Committee.

11. Significantly, the 2013 Rules did not contemplate an open competitive recruitment process. The selection was confined to candidates sponsored by the Employment Exchange and did not provide for any objective or comparative assessment of merit, except for the minimum educational qualification prescribed. The absence of a transparent, merit-based selection mechanism, coupled with wide administrative discretion at the entry stage, rendered the recruitment process structurally weak and susceptible to arbitrariness.

12. This structural deficiency in the manner of recruitment inevitably had downstream consequences. This Court has, in several cases, dealt with instances of misappropriation and misuse of public funds by Panchayat Secretaries, particularly in the implementation of welfare schemes such as



the Mahatma Gandhi National Rural Employment Guarantee Scheme and the Indira Awas Yojana. The mischief, therefore, did not arise from the nature of the post itself, but from the opaque and non-competitive manner in which appointments were made under the earlier Rules, which failed to ensure that only the most suitable and meritorious candidates were inducted into such a sensitive position at the grass-root level.

13. Recognising these deficiencies, the State of Tamil Nadu commendably replaced the 2013 Rules with the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2023, providing for appointments through an open competitive recruitment process. In furtherance of the said Rules, G.O.(Ms) No.198, Rural Development and Panchayat Raj (E5) Department, dated 04.09.2025, was issued prescribing detailed guidelines for such recruitment. The relevant guidelines include:

1. Applications shall be invited through the Employment Exchange and by publication in two newspapers, one of which shall be a Tamil daily with wide circulation in the State.
2. Candidates shall be shortlisted for interview based on a system-generated merit list prepared on the basis of marks obtained in the



Class X Board Examination.

3. Weightage shall be fixed at 85% for Class X marks and 15% for the interview.
4. The District Level Appointment Committee shall select candidates strictly based on merit as determined by the aforesaid weightage.

14. At the outset, this Court places on record its appreciation for the initiative taken by the State in introducing a transparent and merit-based recruitment process to ensure that suitable candidates are appointed to this crucial post. The introduction of an open competitive recruitment process marks a significant and conscious policy shift towards transparency, objectivity, and merit-based selection. By providing for public advertisement, system-generated merit lists, quantifiable weightage, and a structured selection mechanism, the State has addressed the very defects that existed under the previous framework. Such reform not only reduces discretion and the scope for favouritism, but also strengthens grassroots governance by ensuring that competent and deserving candidates are appointed to this crucial post.



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15.The adoption of an open competitive recruitment process, founded on objective criteria and merit-based evaluation, substantially minimises the scope for the kind of irregularities that had arisen under the earlier regime and reinforces public confidence in the Panchayat Raj system.

16.In fact, in *Lila Dhar v. State of Rajasthan and Others* [(1981) 4 SCC 159], the Hon'ble Supreme Court has held that the object of selection to public service is to secure the best and most suitable candidates by avoiding patronage and favoritism, and that selection based purely on merit is the cornerstone of an efficient public service. Introducing an open competitive process for the post of Panchayat Secretary thus ensures the selection of sincere and deserving candidates.

17.In pursuance of these guidelines, the recruitment process initiated through notification dated 10.10.2025 marks the first instance of open competitive recruitment for the post of Panchayat Secretary. This has effectively eliminated the scope for bias and favouritism. Within a short



span of time, this Court has noticed several cases wherein candidates with high Class X marks and even graduates have applied for this post, clearly demonstrating that the open competitive process has attracted meritorious applicants and enhanced the quality of the recruitment.

18.Once a candidate participates in a selection process conducted through an open competitive mechanism, a legitimate expectation arises that the process will be completed in a time-bound manner. Any unnecessary delay inevitably raises doubts regarding the transparency and integrity of the recruitment process.

19.Even as per G.O.(Ms) No.198 dated 04.09.2025, clause (XV) specifically mandates that the Commissioner of Rural Development and Panchayat Raj shall prescribe timelines for each stage of the recruitment process, including the conduct of interviews. While it is open to the recruiting authority to prescribe eligibility criteria, procedure, and schedule, such discretion must be exercised in a fair and transparent manner. Arbitrary modification or prolonged delay in the recruitment



process invites judicial interference as being violative of Articles 14 and 16 of the Constitution of India.

20. In *Naushad Anwar and Others v. State of Bihar and Others* [2014 (11) SCC 203], the Hon'ble Supreme Court deprecated inordinate delays in recruitment processes, observing that such delays undermine fairness, objectivity, and transparency. The relevant portion reads as follows:

"15. We are anguished by the very thought of the selection procedure dragging on for as long as four years between 2008 and 2012. Such inordinate delay and indolence is totally undesirable not only because it violates the fundamental rights of candidates who have qualified for appointment during the intervening period but also because it depicts a complete failure on the part of all concerned in regulating the selection and appointment process with a view to ensuring that the same is fair, objective and transparent. We cannot help saying that several questions have bothered us in regard to the selection process itself which leaves much to be desired but since there is no challenge to the selection or the appointments made pursuant thereto, we refrain from making any observation in regard to those aspects. All that we need say is that the selection and appointment of such a large number of employees under the local bodies ought to have been conducted in a more orderly fashion.



and more importantly the same should have been completed within the time frame stipulated for the purpose or such reasonable extension thereof as may have become absolutely inevitable."

Therefore, the respondents are under a clear obligation to ensure that the selection process is completed within a reasonable time and without undue delay.

21.In the present case, the notification dated 10.10.2025 invited applications for appointment to the post of Panchayat Secretary, and interviews were scheduled for 12.12.2025. The interviews were postponed citing election-related duties connected with the Special Intensive Revision of electoral rolls. This justification cannot be accepted, as administrative functions continue alongside the SIR process. It is not the case that the entire State machinery has come to a standstill because the officials are engaged in SIR related duties.

22.As per the schedule announced by the Election Commission of India, the notice and hearing phase for SIR related activities concludes on



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31.01.2026, and the final electoral rolls are to be published on 17.02.2026. In such circumstances, the request for an eight-week extension is also untenable.

23.The introduction of open competitive recruitment was intended to prevent irregularities and ensure merit-based selection. Permitting unnecessary delay would defeat this objective, create scope for undue influence, and discourage meritorious candidates from applying for such posts in the future. This Court is therefore compelled to exercise its jurisdiction under Article 226 of the Constitution of India to ensure fairness and objectivity in the recruitment process.

24.Accordingly, these writ petitions are disposed of with a direction to the respondents to conclude the selection process for the post of Panchayat Secretary on or before **24.02.2026** and appoint candidates strictly in accordance with merit and the prevailing guidelines.



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25. It is made clear that since the recruitment notification was issued as early as 10.10.2025, the process shall be completed on or before 24.02.2026, even if the election notification for the forthcoming State Legislative Assembly Elections is issued after the publication of the electoral rolls.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Internet : Yes
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27.01.2026

To

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Secretariat, Chennai – 9.
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B.PUGALENDHI, J.

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