



W.P.(MD) No.6225 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.03.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.6225 of 2026

P.Pavunraj

... Petitioner

Vs.

1.The Assistant Director of Town Panchayats,
Office of Assistant Director of
Town Panchayats,
Theni Region, Theni.

2.The Executive Officer,
Mela Chokkanathapuram Town Panchayat,
Bodinayakanur, Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the second respondent herein to register the Heavy Vehicle Driving Licence of the petitioner in his Service Register and consequently direct the respondents herein to transfer the petitioner to the post of Driver in the second respondent Town Panchayat or any other adjacent Town Panchayat within a reasonable time.

For Petitioner : Mr.K.Appadurai

For R1 : Mr.S.Shaji Bino
Special Government Pleader



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For R2

: Mr.M.Gangatharan
Government Advocate

ORDER

Heard Mr.K.Appadurai, learned counsel for the petitioner, Mr.S.Shaji Bino, learned Special Government Pleader appearing for the first respondent and Mr.M.Gangatharan, learned Government Advocate appearing for the second respondent.

2. It is the case of the petitioner that he was appointed as a Sanitary Worker through the Employment Exchange in the second respondent Town Panchayat as early as on 21.05.1998. Thereafter, he was brought under the time scale of pay through the proceedings of the second respondent Town Panchayat dated 04.03.2006 and has been continuing in the said post since then. The petitioner also claims to have acquired a Heavy Vehicle Driving Licence and states that he is eligible to be appointed/promoted to the post of Driver in the second respondent Town Panchayat.

3. Therefore, on an earlier occasion, the petitioner made a request for such appointment/promotion. However, the said request was not

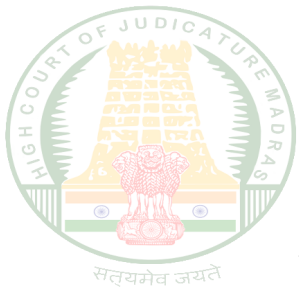


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considered at that point of time and proceedings dated 02.07.2021 came to

be issued informing the petitioner that there was no approved post of Heavy Vehicle Driver available in the second respondent Town Panchayat and that in case any such post is approved, the case of the petitioner would be considered. It was further stated that if the petitioner is interested in serving in the post of Heavy Vehicle Driver in any other Town Panchayat, the same would also be considered by sending recommendations to the higher authorities concerned.

4. In the light of the above, the petitioner once again submitted a representation dated 28.01.2022 to the respondents requesting consideration of his case. However, the same was not considered by the respondents. Hence, the petitioner has approached this Court by filing the present Writ Petition seeking issuance of a Writ of Mandamus directing the second respondent to register the Heavy Vehicle Driving Licence of the petitioner in his Service Register and consequently directing the respondents to transfer the petitioner to the post of Driver in the second respondent Town Panchayat or in any other adjacent Town Panchayat within a reasonable time.



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5. The learned Government Advocate appearing for the second respondent submits that the entire work of solid waste management has been entrusted to a third-party agency and therefore there is neither any necessity for appointing a driver nor any approved post for considering the case of the petitioner.

6. However, the learned counsel for the petitioner submits that the second respondent has to at least register the Heavy Vehicle Driving Licence acquired by the petitioner in the Service Register of the petitioner so as to consider his case in future.

7. In the considered view of this Court, the case of the petitioner would be better considered by the second respondent. However, on perusal of the representation dated 28.01.2022 submitted by the petitioner, it appears that no proper representation has been submitted by the petitioner ventilating his grievance. In the light of the above, the petitioner is granted liberty to submit a fresh representation to the second respondent within a period of three (3) weeks from the date of receipt of a copy of this order seeking redressal of his grievance. In case such a representation is submitted by the petitioner, the same shall be considered by the second



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respondent as expeditiously as possible, at any rate within a period of twelve (12) weeks from the date of receipt of the representation submitted by the petitioner.

8. Accordingly, this Writ Petition is disposed of. No costs.

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JEN

NCC : Yes / No

Index : Yes / No

To

- 1.The Assistant Director of Town Panchayats,
Office of Assistant Director of
Town Panchayats,
Theni Region, Theni.
- 2.The Executive Officer,
Mela Chokkanathapuram Town Panchayat,
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MUMMINENI SUDHEER KUMAR, J.

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