

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.24871 of 2015
and M.P.No.1 of 2015

Gugan

... Petitioner

Vs.

1. State, Rep. By its
The Secretary to the Government,
Tamil Nadu Social Welfare and Nutritious
Meals Department, Secretariat,
Chennai
 2. The District Collector, Villupuram District
 3. The District Project Officer,
Nutritious Noon Meal Programme,
Villupuram District
 4. The Panchayat Union Commissioner,
Olakur Panchayat Union, Office at Saram,
Tindivanam Taluk, Villupuram District
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 2 to 4 to modify the rotational reservation from Schedule Caste (Widow) to Schedule Caste or General Category for the post of Cook Assistant in Nutritious Noon Meal Center (Anganvadi Worker) Andampattu Village, Tindivanam Taluk, for which applications issued from 22.07.2015 to 31.07.2015 in Olakur Panchayat Union, Tindivanam Taluk.

For Petitioner : Mr. G.Mohammed Aseef
For Respondents : Mr. V.Subbiah, Spl.G.P.,

O R D E R

Admit. Mr. V.Subbiah, learned Special Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that the Government has framed rules for reservation for appointment of Child Nutrition Worker and there is a vacancy of Cook Assistant for Nutritious Noon Meal (Anganvadi Worker) Center in the schools of Olakur Panchayat Union. The vacancies were also notified in the Notice Board of the Local Body and the Applications were issued from 22.07.2015 to 31.07.2015.

According to the petitioner, as per the notification, the said post has been reserved for Schedule Caste (Widow) and as such, the persons belonging to that category alone can only be filled up. It is the specific case of the petitioner that, as per the representation of the Village Administrative Officer, Andampattu and Panchayat President of Andampattu Village, no candidates belonging to Schedule Caste (Widow) are available and hence, the reservation should be changed to Schedule Caste Categories, so that the petitioner and others persons similarly placed can apply for the said post and in this regard, the petitioner has submitted a representation in the form of legal notice, dated 28.07.2015, to the respondents. Since no orders are forthcoming, the petitioner has come forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner and the learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. Though the petitioner prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's representation / notice, dated 28.07.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, and communicate the decision taken to the petitioner.

5. This writ petition is disposed of accordingly. No costs. Consequently, the connected MP is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

srk
To

1. The Secretary to the Government,
Tamil Nadu Social Welfare and Nutritious
Meals Department, Secretariat, Chennai
2. The District Collector, Villupuram District
3. The District Project Officer,
Nutritious Noon Meal Programme,
Villupuram District
4. The Panchayat Union Commissioner,
Olakur Panchayat Union, Office at Saram,
Tindivanam Taluk, Villupuram District .

1 cc to Mr.G.Mohammed Aseef, Advocate Sr.No.42180

1 cc to Government Pleader.Sr.No.42446

W.P.No.24871 of 2015
& M.P.No.1 of 2015

ksj (co)pmk.31.8.2015