

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016
CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2003 of 2016
and
WMP.No.1745 of 2016

1.L.Alamelu
2.G.Pown
3.M.Mageswari
4.R.Lakshmi
5.M.Nagammal

... Petitioners

.Vs.

1.The Collector,
Vellore, Vellore District.
2.The Commissioner,
Kaveripattinam Panchayat Union,
Kaveripattinam, Vellore District.
3.The Commissioner,
Katpadi Panchayat Union,
Katpadi, Vellore District.
4.The Commissioner,
K.V.Kuppam Panchayat Union,
K.V.Kuppam, Vellore District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to fill up 25% of the vacancies in the post of Noon Meal Organizer by promotion from the eligible Cooks and Cook Helpers as per G.O.Ms.No.163, Social Welfare Department dated 18.08.2010 and promote them to the post of Noon Meal Organizer under the said 25% of the vacancies.

For petitioner : Mr.P.MohanRaj
For R1 : Mr.V.Jayaprakash Narayanan
Spl.Govt.Pleader.
For R2 to R4 : Mr.M.L.Mahendran
Government Advocate.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The present writ petition is filed seeking for issuance of a writ of mandamus directing the respondent to fill up 15% of the vacancies in the post of Noon Meal Organizer by promotion from the eligible Cooks and Cook Helpers as per G.O.Ms.No.163, Social Welfare Department dated 18.08.2010.

3. According to the petitioners, they were appointed as Cooks in Noon Meal Centre at Vellore District on 04.02.2007. The petitioners have passed S.S.L.C. and they were qualified to be appointed to the post of Noon Meal Organizer.

4. The petitioners would state that in the G.O.Ms.No.163, Social Welfare Department dated 18.08.2010, the Government has earmarked 25% of the vacancy in the post of Noon Meal Organizer to be filled up by promotion of Cooks with five years experience and Cook Helpers with 10 years experience. However, the first respondent without considering the Government order has issued a notification to appoint as Noon Meal Organizer and therefore, he made a representation dated 21.12.2015. Since no order has passed by the respondent, the present writ petition has been filed.

5. Heard the submissions of P.Rajendran, learned counsel appearing for the petitioner and V.Jayaprakash Narayanan, Spl.Govt.Pleader for R1 and Mr. M.L.Mahendran, Government Advocate, who accepts notice on behalf of the respondents 2 to 4.

6. This Court, considering the limited prayer sought for in the writ petition and without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 21.12.2015 and pass orders on merits and in accordance with law and taking into consideration the Government Order cited supra, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to keep vacant five posts of Noon Meal Organizer and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs. Consequently, connected Miscelloaneous petition is closed.

sd/-
Assistant Registrar (CCC)

/TRUE COPY/

Sub-Assistant Registrar

To

1.The Collector,
Vellore, Vellore District.

2.The Commissioner,
Kaveripattinam Panchayat Union,
Kaveripattinam, Vellore District.

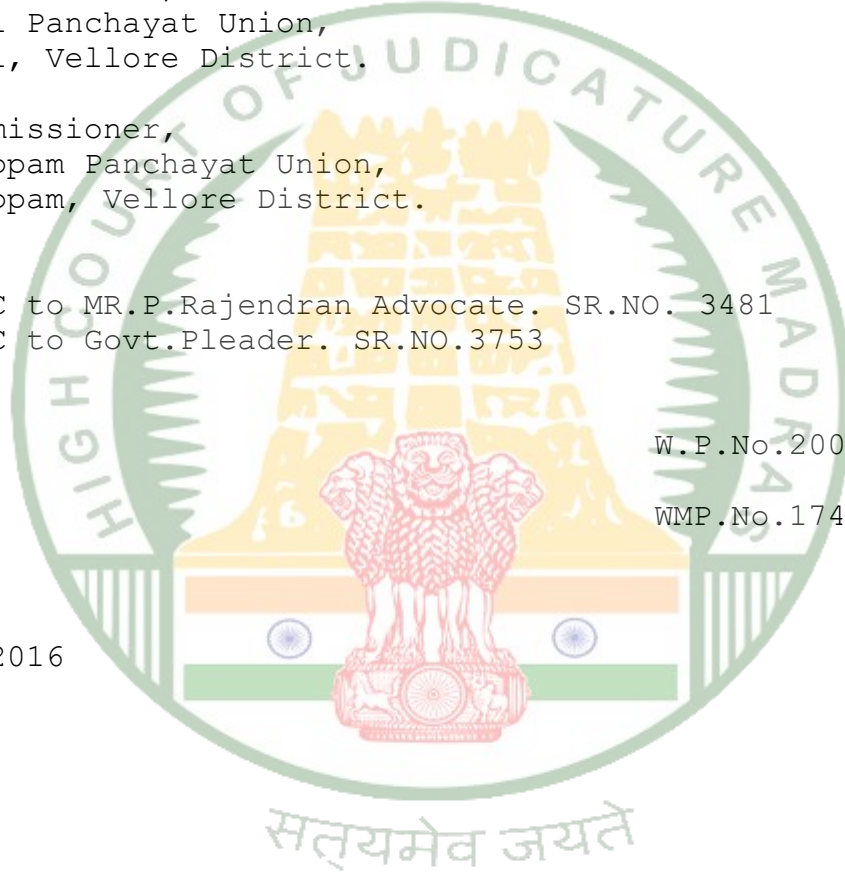
3.The Commissioner,
Katpadi Panchayat Union,
Katpadi, Vellore District.

4.The Commissioner,
K.V.Kuppam Panchayat Union,
K.V.Kuppam, Vellore District.

+1 CC to MR.P.Rajendran Advocate. SR.NO. 3481
+1 CC to Govt.Pleader. SR.NO.3753

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and
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CO-TEJ
JD 16/02/2016



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