

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.7028 of 2016
and

W.M.P. Nos.6240 and 6241 of 2016

Jayanthimala

... Petitioner

-Vs-

1.The District Collector,
Vellore, Vellore District-9.

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

3.Gouthami

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the proceedings Na.Ka.No.1334/2015/PG1 dated 29.01.2016 from the file of first respondent and quash the same and direct the respondents 1 and 2 to select the petitioner as Nutrition Meal Organizer in Panchayat Union Harijan Welfare Middle School at Ayal, Panchayat Union and grant such other relief.

For Petitioner : Mr.R.Margabandhu

For respondents : Mr.S.Gunasekaran,
Government Advocate for R1
Mr.Rajendra Narasimhan,
Additional Government Pleader
for R2

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O R D E R

This writ petition has been filed by the petitioner, challenging the proceedings Na.Ka.No.1334/2015/PG1 dated 29.01.2016, issued by the first respondent and directing the respondents 1 and 2 to select the petitioner as Nutrition Meal Organizer in Panchayat Union Harijan Welfare Middle School at Ayal, Panchayat Union.

2.Learned counsel for the petitioner would submit that when the second respondent called for application to the post of Nutrition Meal Organizer in Ayal Adidraavidar Middle School, Kaveripakkam Panchayat Union, both the petitioner and the third respondent applied for the said post. He would further submit that as the third respondent has got better qualification than the petitioner, she was eligible for teachers post. But the petitioner, who only got lesser academic qualification than the third respondent, cannot go for any other job. Adding further, he would submit that the petitioner got three female children, whereas the third respondent has got one female child and one male child. Therefore, he sought for quashing the impugned order.

3.I find no merits in the submission made by the learned counsel for the petitioner. The reason is that when the third respondent has got better academic qualification namely B.Ed. degree than the petitioner, who is having the qualification namely 10th std. fail, the selection made in favour of the third respondent cannot be questioned, as she has got better academic qualification than the petitioner and both the petitioner and the third respondent are belonging to Hindu, Adidraavidar community. Therefore, finding no error in the impugned order, this Court, is not inclined to grant the relief sought for by the petitioner. Accordingly, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected M.Ps. are also dismissed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vga

To

- 1.The District Collector,
Vellore, Vellore District-9.
- 2.The Commissioner,
Panchayat Union,
Kaveripakkam, Vellore District.

+1cc to Mr.R.Margabandhu, Advocate, S.R.No.11983
+1cc to the Government Pleader, S.R.No.12114

W.P. No.7028 of 2016

SR(CO)
CA(25/04/2016)