

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.7029 of 2016
and

W.M.P. Nos.6242 and 6243 of 2016

Shenbagavalli

... Petitioner

-Vs-

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

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

3.Mageswari

... 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 Kaveripakkam Panchayat Union and grant such other relief.

For Petitioner : Mr.R.Margabandhu

For respondents : Mr.S.Gunasekaran,
Government Advocate for R1
Mr.Premnath,
Government Advocate 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 Kaveripakkam 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 Adidravidar Middle School, Kaveripakkam Panchayat Union, both the petitioner and the third respondent applied for the said post. Though the petitioner and the third respondent have got equal qualifications, the petitioner was not selected for the said post. Adding further, learned counsel for the petitioner would submit that the petitioner got two female children, whereas the third respondent has got one female child and one male child. He would further submit that the distance between the petitioner's residence and the Nutrition Meal Center is only 150 feet, whereas the distance between the third respondent's residence and the Nutrition Meal Center is 1 k.m. 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 and the petitioner are having equal qualification namely 10th std. and both of them are having two children, the selection made in favour of the third respondent cannot be questioned, as they both got equal academic qualification and are belonging to Hindu, Adidravidar 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.11984

+1cc to the Government Pleader, S.R.No.12114

W.P. No.7029 of 2016

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