

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.15162 of 2014

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus questioning the action of the 6th Respondent herein in trying to discontinue the services of the petitioners as Cooks for the implementation of the Midday Meals Scheme of the State Government in Government Primary School and Zilla Parishad High School in Pebbair, Mahabubnagar District, high handedly, unilaterally without any notice or opportunity without due procedure, without following the principles of natural justice for extraneous considerations upon the influence of certain politically influential people as highly illegal, arbitrary and unconstitutional and to consequently direct the 6th Respondent herein to permit the petitioners to continue as Cooks.”

2. A counter affidavit deposed by the Mandal Educational Officer, Mahabubnagar District is filed. The said counter at paragraph No.4 reads as under:

“I respectfully submit that the respondents herein have not issued any proceedings for change of existing mid day meal agency and there is no such intention to change the existing mid day meal agency, but due to competition between the petitioners and other Mahila Groups in the village, the petitioners herein, for their safety measure they have approached this Hon'ble Court with false allegations against the 6th respondent there is certain politically influential people are bringing pressure on the Mandal Educational Officer to terminate their services, which is absolutely false and fabricated allegations of the petitioners and it is also not true and correct as there is a list of six candidate was already made ready and approved for candidates to be appointed in the Petitioners place.”

3. A reading of the above paragraph of the counter affidavit makes it evident that there is no intention to change the existing mid-day meal agency and as a precautionary measure, petitioners have approached this Court. In view of the averments made in the counter affidavit, since the claim of the implead party petitioners is independent and distinct in this

writ petition, the same cannot be looked into.

4. In view of the above, this writ petition is disposed of, by placing paragraph No.4 of the counter affidavit on record. As a sequel, the miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

Date: 30.03.2016
grk

A.V.SESHA SAI, J



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Dated 30th March, 2016

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