

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.30069 of 2017

B.Saraswathi

.. Petitioner

-vs-

1. The District Collector
Collectorate
Sathuvachari, Vellore

2. The Block Development Officer
Kaveripakkam Union
Nemeli Taluk
Vellore District

3. Integrated Child Development Officer
No.3, Kalaignar Nagar
Kondapuram, Kaveripakkam
Vellore District

4. The Head Master
Government Primary School
Sirukarumbur Village and Post
Arakkonam Taluk
Vellore District

5. Amsaveni
W/o Krishnan

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Declaration, declaring the appointment of fifth respondent as Anganwadi Assistant in the school of fourth respondent is null and void and further direct the first respondent to appoint the petitioner to the said post.

For Petitioner :: Mr.A.Gouthaman

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader
for R1, 3 & 4
Mr.P.Chinnadurai for R2

ORDER

This writ petition has been filed, without any basis, seeking a declaration declaring the appointment of the fifth respondent as Anganwadi Assistant in the school of fourth respondent null and void and to direct the first respondent to appoint the petitioner to the said post. It is not known how the writ petition seeking a declaration can be entertained, without even producing or showing the copy of the order appointing the fifth respondent. It is the fundamental aspect for a lawyer to know that while attacking the appointment of someone, copy of the order appointing someone should have been filed. Otherwise, this Court will not be able to exercise its jurisdiction or the cause of action to entertain the writ petition. In the present case, the petitioner has simply prayed for issuance of a writ of declaration declaring the appointment of the fifth respondent as null and void. It is not known how such a writ petition can be entertained even without seeing the order of appointment of the fifth respondent. Therefore, the writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

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To

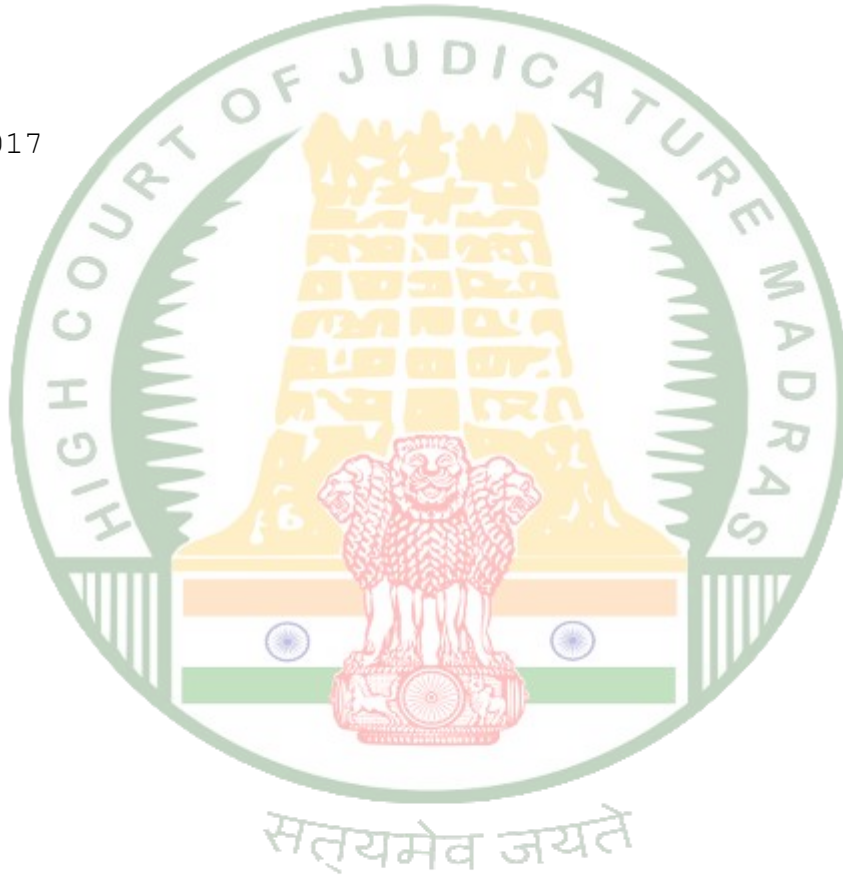
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+1 cc to Mr.P.Chinnadurai Advocate sr 83396
+1 cc to Mr.A.Gowthaman Advocate sr 84072
+1 cc to the Govt Pleader sr 83650

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