

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.8539 of 2017

P.Meena

.. Petitioner

-vs-

The District Collector,
Dharmapuri,
Dharmapuri District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to consider the petitioner's representation dated 09.01.2017 requesting for promotion to the post of Noon Meal Organiser in the light of the provisions contained in G.O. Ms. No.163, Social Welfare and Nutritious Meal Program Department, dated 18.08.2010 for promotion of Cooks/Cook Helpers against 25% of the vacancies in the post of Noon Meal Organiser.

For Petitioner : Mr.P.Mohanraj

For Respondent : Mr.T.M.Pappiah,
Special Government Pleader

O R D E R

This writ petition has been filed by the petitioner seeking a direction to the respondent to consider her representation dated 09.01.2017 requesting for promotion to the post of Noon Meal Organiser in the light of the provisions contained in G.O. Ms. No.163, Social Welfare and Nutritious Meal Program Department, dated 18.08.2010 for promotion of Cooks/Cook Helpers against 25% of the vacancies in the post of Noon Meal Organiser.

2.The petitioner was appointed as a Cook at the Noon Meal Centre, Panchayat Union Primary School, Chickamarandahalli, Palacode Block, Dharmapuri District by an order dated 26.06.2007 and joined duty on 27.06.2007. As per the orders issued by the Government in G.O. Ms. No.163, Social Welfare and Nutritious Meal Program Department, dated 18.08.2010, 25% of the vacancies in the post of Noon Meal Organiser shall be filled up by

promotion from the categories of Cook and Cook Helper. As the petitioner was appointed as Cook on 27.06.2007 and completed five years service on 27.06.2012 and passed S.S.L.C. examination in September 2014, she became eligible for promotion to the post of Noon Meal Organiser under 25% quota reserved for promotion. While so, the District Collector, Dharmapuri/the respondent herein issued an order dated 27.12.2016 in Na.Ka.No.13353/2016/X1 promoting five Cooks as Noon Meal Organisers. Among them four Cooks namely, Sivagami, Sugunavathi, Anandhi and N.Sathyavani are juniors to the petitioner. Except Anandhi, the other three persons were also appointed on the same date, namely, 27.06.2007 when the petitioner was appointed. Since the petitioner was not promoted to the post of Noon Meal Organiser when the above said juniors were promoted and more than 10 vacancies are available, she made a representation to the respondent on 09.01.2017 requesting him to promote her as Noon Meal Organiser in the existing vacancies. As there was no response till date, she is before this Court seeking the above said direction.

3.Learned Special Government Pleader takes notice on behalf of the respondent and seeks six weeks time to consider the petitioner's representation.

4.Considering the submissions made by the learned Special Government Pleader, this Court directs the respondent to consider the petitioner's representation dated 09.01.2017, within a period of six weeks from the date of receipt of a copy of this order, on merits and in accordance with law, in the light of the G.O. Ms. No.163, Social Welfare and Nutritious Meal Program Department, dated 18.08.2010.

5.It is made clear that if the petitioner qualifies for the said promotion, she can be considered by the respondent.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vga

To

The District Collector,
Dharmapuri,
Dharmapuri District.

+1cc to Mr.Rajendran, Advocate, S.R.No.22046
+1cc to the Government Pleader, S.R.No.21923

W.P. No.8539 of 2017

RR(CO)
RS(02/05/2017)



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