

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.31482 of 2017

M.Kavitha

.. Petitioner

-vs-

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Commissioner,
Kondarahalli Panchayat Union,
Dharmapuri Taluk,
Dharmapuri District - 635 301 .. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to appoint the petitioner to the post of Noon Meal Organizer in any of the existing / future vacancies in 2nd respondent Panchayat Union Limits within the period to be stipulated by this Court by considering the representation made by the petitioner dated 15.09.2017.

For Petitioner ::Mr.R.Gopinath

For Respondents::Mr.V.Jayaprakash Narayanan for R1

Special Government Pleader

Mrs.M.E.Raniselvam for R2

O R D E R

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents to appoint the petitioner to the post of Noon Meal Organizer in any of the existing / future vacancies in 2nd respondent Panchayat Union Limits within the period to be stipulated by this Court.

2. Learned counsel appearing for the petitioner would submit that when the respondents invited eligible applications from the eligible candidates for the post of Noon Meal Organiser, petitioner applied for the same, since she belongs to Scheduled Caste and also studied up to 11th standard. That apart, learned counsel for the petitioner contended that the petitioner is also a permanent resident of Kondarahalli Village, Dharmapuri Taluk

and her husband also served in Indian Army and retired from service and thereby she is entitled to get priority in the said post. While so, the respondents have appointed one S.Theivanayagi, who is a B.A.Graduate, wife of Semasundaram, as Noon meal organiser and posted her in Panchayat Union Elementary School, Sandhanur Medu, Dharmapuri Taluk. Besides the above, he pleaded that the petitioner is aged 39 years, possessing with only SSLC qualification, therefore, the respondents ought not to have appointed the said Theivanayagi, who is too young, when compared to the petitioner.

3. Heard the learned counsel on either side and perused the documents available on record.

4. This Court is unable to find any merit in the Writ Petition. The reason is, when the petitioner is aggrieved by the appointment of S.Theivanayagi, wife of Semasundaram, aged about 29 years, without challenging the correctness of the said appointment order issued in favour of said Theivanayagi, this petition filed by the petitioner with the prayer mentioned supra is not maintainable. Therefore, the Writ Petition fails and the same stands dismissed. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssd

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.

+1 CC to Govt. Pleader sr 87378.

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SP(27/12/2017)