

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.14599 of 2017 & W.M.P. No.15824 of 2017

Solomon

Petitioner

vs.

- 1 The District Collector
Collectorate Office
Sathuvachary
Vellore District
- 2 The Tahsildar/Commissioner
Taluk Office
Anaikattu Taluk
Vellore District
- 3 The Noon Meal Scheme Direct Assistant
Collectorate Office
Sathuvachary
Vellore District
- 4 M.D. Aided Minority Primary School
represented by its Correspondent Danivel
Karunkali Village & Post
Madhanur via
Anaikattu Taluk
Vellore District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the petitioner's representation dated 16.05.2017 objecting to the appointment of an Assistant Cook in M.D. Aided Minority Primary School, Karunkali Village, Madhanur via, Anaikattu Taluk, Vellore District in violation of the notification dated 10.02.2017 issued by the third respondent and consequently, direct the respondents to call for fresh applications for the post of Assistant Cook in M.D. Aided Minority Primary School, Karunkali Village, Madhanur Via, Anaikattu Taluk, Vellore District.

For petitioner Ms. S.P. Arthi
For RR 1 to 3 Mr. T.M. Pappiah
Special Government Pleader

ORDER

This writ petition has been preferred seeking a writ of mandamus directing the respondents to consider the petitioner's representation dated 16.05.2017 objecting to the appointment of an Assistant Cook in M.D. Aided Minority Primary School, Karunkali Village, Madhanur via, Anaikattu Taluk, Vellore District in violation of the notification dated 10.02.2017 issued by the third respondent and consequently, direct the respondents to call for fresh applications for the post of Assistant Cook in M.D. Aided Minority Primary School, Karunkali Village, Madhanur Via, Anaikattu Taluk, Vellore District.

2 The petitioner is a resident of Karunkali Village and he belongs to Scheduled Caste community. A primary school by name M.D. Aided Minority Primary School has been in existence in his village for the past six decades and in the said school, the post of Assistant Cook has been lying vacant for the last six or seven years. Therefore, a notification was issued calling for applications for the post of Assistant Cook with specific requirements, pursuant to which, two applicants by name Vijaya, a resident of the school locality and Nirmala, a resident of Agaram Village, Madhanur Taluk, Ambur, have applied for the said post.

3 It appears that Vijaya's application was rejected on some grounds, whereas, Nirmala's application is kept pending. The petitioner reliably understands that Nirmala is going to be appointed for the post of Assistant Cook. Therefore, a representation dated 16.05.2017, raising certain objections, has been given by the petitioner, which is still under consideration. Hence, this writ petition seeking the aforestated relief.

4 This Court does not find any merit whatsoever in this writ petition. The reason is that when the petitioner has already given a representation raising certain objections, he cannot approach this Court on mere apprehension that the same will not be considered. Moreover, it is pertinent to point out that the petitioner has addressed his representation only on the 16th ultimo and without even giving a breathing time for the authorities to pass orders on his representation, he has virtually rushed to this Court and filed the present writ petition on the 8th instant, i.e., within a span of 22 days from the date of his representation.

In such view of the matter, this Court is of the considered view that there is no cause of action for the petitioner to file the present writ petition. Accordingly, this writ petition stands dismissed as being devoid of merits. Costs made easy. Connected W.M.P. is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad

To

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Vellore District
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Taluk Office
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Vellore District
- 3 The Noon Meal Scheme Direct Assistant
Collectorate Office
Sathuvachary
Vellore District

+1 cc to M/s.S.P.Arthi Advocate sr 41519
+1 cc to the Government Pleader sr 42098

W.P. No.14599 of 2017

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