

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.05.2017

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.25942 of 2012
and M.P.No.1 of 2012

R.Radha

... Petitioner

//vs//

1. The District Collector
Villupuram District
2. The Commissioner
B.D.O.Office, Marakkanam
3. The Commissioner for Social Welfare Department
Ezhilagam, Directorate of Chennai-5
4. Loganayagi ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to appoint the petitioner from Kottikuppam as the Noon Meal Organizer to Kottikuppam Village.

For Petitioners ... Mr.R.Karunakaran

For Respondents 1 & 3 ... Mr.A.Zakkir Hussain
Government Advocate

For Respondent-2 ... Mr.Saraswati Shivaraman Iyer

For Respondent-4 ... Mr.K.Jayaraman

ORDER

The writ petition is filed for a mandamus to direct the first respondent to appoint the petitioner as Noon Meal Organiser in Kottikuppam Village. Though the petitioner has not challenged the appointment order issued in favour of the fourth respondent as Noon Meal Organiser, the learned Government Advocate appearing for respondents 1 and 3 submitted that the fourth respondent was appointed as Organiser and continuing in service for about four years. Further, the service of the fourth respondent is not disrupted and is continuous.

Therefore, this Court is not inclined to disturb the appointment made in favour of the fourth respondent. More so, the Writ Petitioner has not sought for any such prayer against the appointment order issued in favour of the fourth respondent. The learned counsel appearing for the writ petitioner submitted that at this point of time, he is not intending to question the appointment order issued in favour of the fourth respondent and now vacancies are available in the cadre of Noon Meal Organiser.

2. Thus, this Court is inclined to grant the restricted relief of directing the first respondent to consider the case of the petitioner. For this purpose, the writ petitioner is at liberty to send a representation to the first respondent within a period of two weeks from the date of receipt of a copy of this order and if such representation is received by the first respondent, the first respondent is at liberty to consider the case of the petitioner on merits and in accordance with law and pass appropriate orders as early as possible, subject to the availability of the vacancies in the cadre of Noon Meal Organiser.

3. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn

To

1. The District Collector
Villupuram District
2. The Commissioner
B.D.O.Office, Marakkanam

3. The Commissioner for Social Welfare Department
Ezhilagam, Directorate of Chennai-5

+1cc to Mr.R.Karunakaran, Advocate, S.R.No. 36974

+1cc to the Government Pleader, S.R.No. 37021

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GJ(CO)
CS/18/05/17



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