

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.Nos.42381 and 42382 of 2016

P.Kavitha .. Petitioner in W.P.No.42381 of 2016

T.Pachaiyammal .. Petitioner in W.P.No.42382 of 2016

vs.

1.The Secretary,  
Social Welfare Department,  
Fort St.George,  
Chennai-600 009.

2.The District Collector,  
Villupuram District,  
Villupuram.

3.The Commissioner,  
Panchayat Union,  
Chinnasalem Taluk,  
Villupuram District.

.. Respondents in both W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to directing the respondents 2 and 3 to consider the petitioner for the post of Noon-Meal Organizer under the Noon-Meal Scheme in Chinnasalem Panchayat Union School or any other nearest place with the Chinnasalem Taluk, Villupuram District.

For Petitioner : Mr.V.R.Kamalanathan  
in both W.Ps.

For Respondents : Mr.K.Dhananjayan,  
in both W.Ps. Special Government Pleader for R1 and R2  
Mr.N.Roofus Abraham,  
Government Advocate for R3

## C O M M O N   O R D E R

By consent, these Writ Petitions are taken up for final disposal. Since the point to be adjudicated is one and the same, they are disposed of by this common order.

2. The petitioner in W.P.No.42381 of 2016, namely P.Kavitha would aver that she belongs to Backward Class community residing in the remote tribal village viz., Kachirayapalayam of Chinnasalem Taluk, Villupuram District and she had studied upto 9<sup>th</sup> standard during 1992 and due to extreme poverty and family circumstances, she find it extremely difficult to make both ends meet. The petitioner submitted application for the post of **\*Cooking Assistant** Organizer in the year 2005 and she was called to attend the interview and she attended the same and he has been unjustly denied employment. The petitioner would further aver that at the young age of 30 years, she became a widow and comes under Destitute Widow category and therefore, she once again approached the respondents 2 and 3 in the form of representation seeking for the job of Noon Meal Organizer in the category of widow on 27.07.2016 and on 24.08.2016 and the third respondent called upon her to attend the interview and she also appeared before the third respondent on 07.09.2016 along with the original certificates and she was informed that since the local body elections were scheduled to be held, interview will be conducted later and thereafter, no response was received and therefore, came forward with this writ petition.

3. The petitioner in W.P.No.42382 of 2016, namely T.Pachaiyammal would submit that she is a physically challenged (differently abled) person and she was also issued with Identity Card bearing No.27137 by the Government of Tamil Nadu and she completed Higher Secondary Course during March 1998 and she belongs to Backward Class community residing in a remote tribal village viz., Vadakkananthal of Chinnasalem Taluk and she is the first person passed Higher Secondary Course in her family and she find it extremely difficult to make both ends meet. The petitioner would further aver that she is repeatedly approaching the first respondent for the post of **\*Non Meal Organizer** and she has submitted application to the third respondent on 27.07.2016 and the third respondent sent a communication dated 24.08.2016 calling upon the petitioner to appear for interview on 06.09.2016 along with original documents and she appeared before the third respondent on 06.09.2016 along with the certificates, wherein she was informed that on account of local body elections, the interview will be conducted later and since thereafter no response was forthcoming, she came forward with this writ petition.

4. Mr.V.R.Kamalanathan, learned counsel appearing for the petitioners would submit that the petitioner in W.P.No.42382 of 2016, namely T.Pachaiyammal had attended interview for the post of Noon Meal Organizer today and the petitioner in W.P.No.42381 of 2016, namely, P.Kavitha has been issued with call letter to attend the interview on 02.02.2017 and in the light of the facts and circumstances, their request for appointment in the respective posts may be sympathetically considered and positive directions may be issued to provide them with employment.

5. Per contra, Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents 1 and 2 would submit that though the petitioners are having right to participate in the selection process, as a matter of right, they cannot claim employment and based upon the qualification and performance, their claim for appointment will be considered in accordance with the relevant norms and regulations.

6. This Court has considered the rival submissions and also perused the materials placed before it.

7. Though the petitioners pray for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners, directs the second respondent to consider the candidature of the petitioners for the post of **\*Cooking Assistant and Noon Meal Organizer** respectively in accordance with the relevant norms and regulations and pass orders as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

8. These Writ Petitions are disposed of accordingly.  
No costs.

sd/

Assistant Registrar (CO)

Dated:07/02/2017

Amended as per order of this  
Court dated 10.02.2017 made  
in WP No.42381 & 42382/16

sd-

Assistant Register (CO)

Dated:17/02/2017

/true copy/

Sub Assistant Registrar

jvm

To

To be Substituted to the  
Order already despatched on  
07/07/2017

1.The Secretary,  
Social Welfare Department,  
Fort St.George,  
Chennai-600 009.

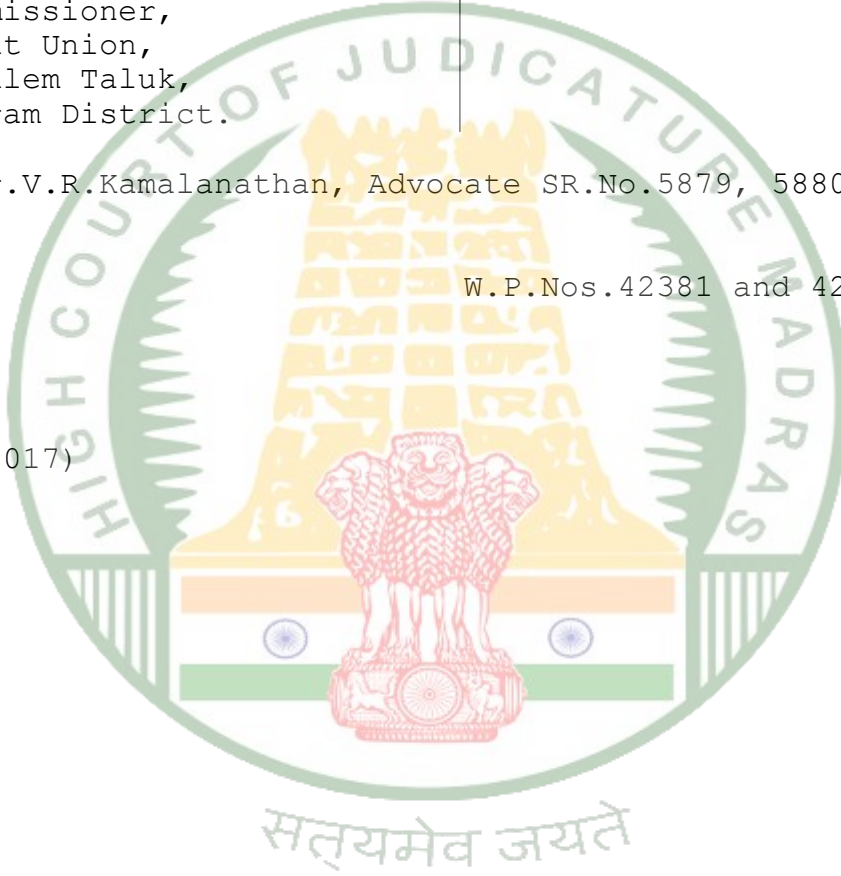
2.The District Collector,  
Villupuram District, Villupuram.

3.The Commissioner,  
Panchayat Union,  
Chinnasalem Taluk,  
Villupuram District.

+2cc to Mr.V.R.Kamalanathan, Advocate SR.No.5879, 5880.\***9452**

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UG(CO)  
GN(07/02/2017)



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