

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.23802 OF 2017

ORDER:

This writ petition is filed challenging the action of respondents in terminating the services of petitioner as cook cum helper of midday meals program of Government Primary School, Dhangarwadi, Mukarampura, Karimnagar Mandal and District.

The averments of the petition are that the petitioner was appointed as cook cum helper of midday meal program of Government Primary School, Dhangarwadi, Karimnagar town, Karimnagar by the respondents with the approval of school management committee from November, 2011. As per the Government menu, the petitioner has to cook and serve food to the students. She was being paid Rs.1,000/- per month as honorarium and the same was credited to the petitioner's bank account from time to time.

It is the case of the petitioner that she was asked to stop the said service with effect from 13.06.2017 but no notice and opportunity were given to her. It is also her case that when she was enquired, she was informed that she was removed from service on 03.07.2017 itself by the committee but there was no communication of such proceedings at any point of time to her. Hence, discontinuing her service is violative of principles of natural justice.

On 19.07.2017, this Court granted an interim order to allow the petitioner to continue her service for a period of three weeks

subject to the condition that if no other person is appointed and if her service is not yet terminated.

In the counter-affidavit, the respondents stated that the petitioner was removed from service with effect from 13.06.2017 much before the interim order came to be passed on 19.07.2017. It is further stated that the petitioner instead of cooking the meals at school, she was preparing the same at her residence and serving the same to the children without following the quality and quantity norms. Numerous complaints were received from both the parents as well as the teachers. During the Education Committee meeting on 15.10.2016 and during the parents' teachers meeting on 19.11.2016 some objections were raised regarding the quality of food served to the students by the petitioner. On 01.03.2017, the Education Committee found that the said food was not meeting both quality as well as the quantity and a decision was taken by the Headmaster of the school, teachers, parents, Education Committee Chairman, Members, Bhavitha Inspector and passed resolution to terminate the service of the petitioner.

No reply affidavit was filed by the petitioner denying the allegations made in the counter-affidavit.

In view of the above, considering the fact that the petitioner was engaged only to cook and serve food to the students on a contract basis from 2011 at Rs.1,000/- per month and without there being any vested right to the petitioner, terminating her from services not being satisfied with the quality and quantity, cannot be found fault with.

With the above observation, the Writ Petition is closed. No costs.

Miscellaneous petitions, pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Date: 16.08.2017
ssp

