

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.1014 of 2018

K.Kalaiselvai

...Petitioner

Versus

1. The Director,
Integrated Child Development Service
Scheme, Tharamani, Chennai-113.
2. The District Collector,
Collector Office, Sathuvachari,
Vellore District.
3. The District Program Officer (Noon Meal),
Integrated Child Development Service Scheme
Office, Sainathapuram, Vellore District.
4. The Block Development Officer (Noon Meal),
Alangayam Panchayat Union, Alangayam,
Vellore District.

5. S.Vimala

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records pursuant to the order of the 2nd respondent in Na.Ka.No.1551/2016/PG1 dated 28.9.2017 and quash the same and consequently, direct the 2nd respondent to consider the name of the petitioner for the abovesaid post of Noon Meal Organiser in accordance with law.

For Petitioner : Mr.T.Meganathan
For Respondents : Mr.R.S.Selvam, G.A.
1 to 4

O R D E R

The Writ Petition has been filed against the impugned order dated 28.9.2017 passed by the 2nd respondent, appointing the 5th respondent, namely, S.Vimala, to the Post of Noon Meal Organiser at Kalanthara School Centre, on the ground that the petitioner,

being a destitute widow, the 2nd respondent has wrongly appointed the 5th respondent without giving priority to the petitioner in the destitute widow category.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate who takes notice on behalf of the respondents 1 to 4.

3. On the face of the records, this Court is unable to find any merit in the case of the petitioner because the Destitute Certificate dated 16.4.2015 issued by the Tahsildar, Vaniyambadi, Vellore District in favour of the petitioner clearly speaks that the petitioner is not a destitute widow, but, deserted by her husband and they are living separately. Under such circumstances, the petitioner cannot come to this Court on the ground that she is a destitute widow. Therefore, on the ground of misrepresentation without approaching this Court with clean hands, the petitioner is not entitled to invoke the writ jurisdiction of this Court under Article 226 of the Constitution of India.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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To

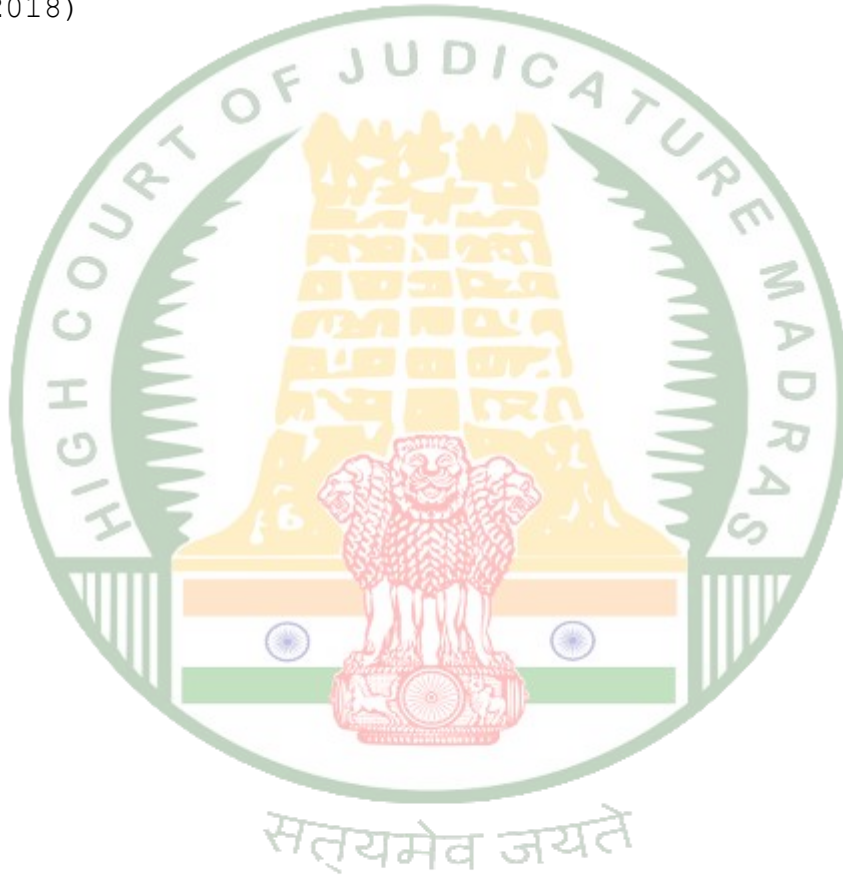
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+1 CC to Govt. Pleader sr 4621.

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RSI (CO)
SP(13/02/2018)



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