

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.19468 of 2012

and

M.P.No.1 of 2012

Mrs.Geetha

..Petitioner

Versus

1. The District Collector,
Villupuram Distrct.

2. The Commissioner
B.D.O. Officer,
Markkanam.

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

4. Mrs.Selvi

..Respondents

PRAYER:Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to appoint the petitioner or any other village from Kottikuppam as the organisor to Kottikuppam Village.

For Petitioner :: Mr.R.Karunakaran

For RR1&R3 :: Mrs.Sri Jayanthi
(Special Government Pleader)

For R2 :: Mr.P.Chinnadurai

ORDER

The petitioner has filed the present writ petition in the nature of Writ of Mandamus to direct the first respondent to appoint the petitioner from Kottikuppam, as Noon Meal Scheme Organizer for Kottikuppam Village under the Noon Meal Scheme.

2. The petitioner claimed that she has requisite qualifications to be appointed as Noon Meal Organizer. She applied for the post and attended interview on 09.07.2012. She produced certificates. She claimed to be eligible for

appointment as Noon Meal organizer for the Adi dravidar Welfare School at Kottikuppam, Nadukuppam Panchayat. However, instead of her being selected, the fourth respondent was selected. Consequently, the petitioner had filed the present writ petition.

3. In the counter affidavit filed by the second respondent, it had been stated that, as a matter of fact, Mrs.V.Loganayagi wife of Viswanathan, was actually selected and the fourth respondent was not selected. It was also stated that said Loganayagi was not made a party to the writ petition.

4. It was stated that according to G.O.Ms.No.163 Social Welfare and Nutritious Scheme Department dated 18.08.2010, a person can be appointed as Noon Meal Scheme Organizer only if their residence is within 3 Kms from the concerned school. Loganayagi who had been selected was qualified with that condition. Consequently, she was appointed. The petitioner was not residing within the 3 Kms radius. She was therefore not selected.

5. I find that no reason to differ with the reasons or conditions stipulated and procedure adopted for selection. The petitioner was also not residing within the area limited as a criteria for selection. As a matter of fact, the petitioner had stated that the fourth respondent had been selected which is also factually not correct.

6. In view of the above reasons, the writ petition is dismissed. No costs.

7. However, if at all there is any vacancy in future and if at all any notification is issued for selection, and if at all the petitioner satisfies the eligibility requirements for appoint as Noon Meal Organiser, and if she applies, her application may also be considered on equal terms with other applicants. Consequently, connected M.P is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

smv/nvi

To

1. The District Collector,
Villupuram Distrct.

2. The Commissioner
B.D.O. Officer,
Markkanam.

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

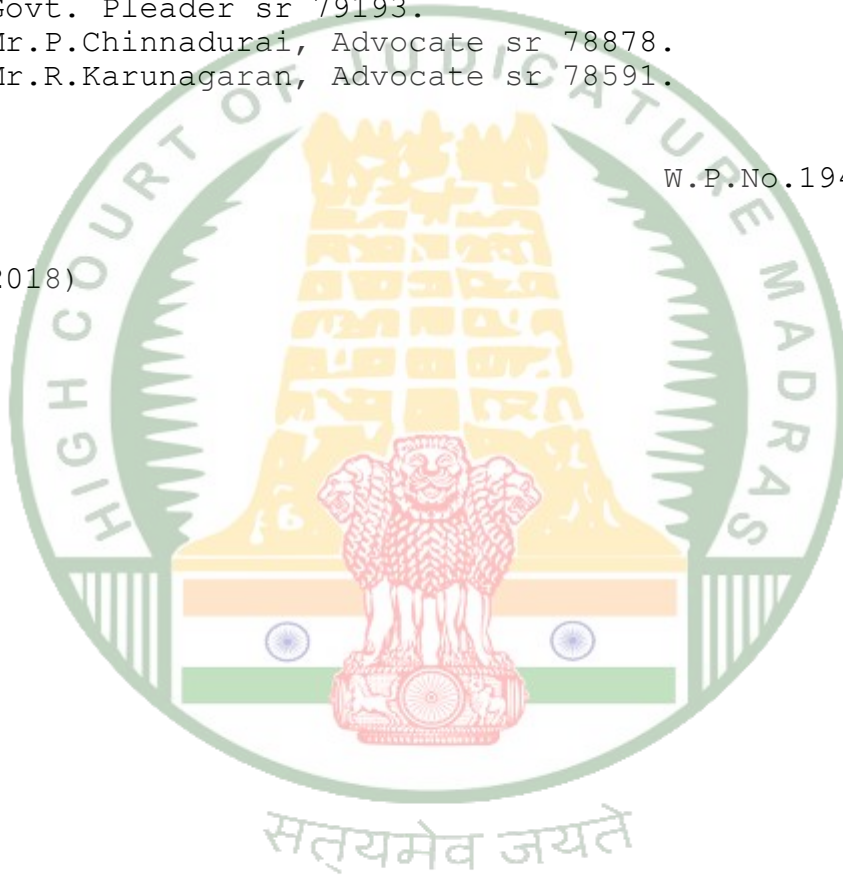
+1 CC to Govt. Pleader sr 79193.

+1 CC to Mr.P.Chinnadurai, Advocate sr 78878.

+1 CC to Mr.R.Karunagaran, Advocate sr 78591.

W.P.No.19468 of 2012

SJ(CO)
SP(19/12/2018)



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