

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.5505 of 2011

D. Geetha Mageswari

... Petitioner

Vs.

1.The Director of Social Welfare,
Chepuak, Chennai - 600 005.

2. The Commissioner,
Vallam Panchayat Union,
Vallam, Villupuram District.

3. Tmt. V. Sivagami

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent to consider the Petitioner's representation dated 06.01.2011, praying for cancellation of the appointment of the third respondent as Cook Helper in the Noon Meal Centre at Government Higher Secondary School, Veeranamur, Vallam Panchayat Union and to appoint the petitioner in the said post.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.B. Anand
Government Advocate, for R1
No Appearance, for RR2 & 3

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate for the first respondent and perused the materials available on record.

2. The petitioner has filed this petition for issuance of a Writ of Mandamus, directing the first respondent to consider her representation dated 06.01.2011.

3. The petitioner would state that she is a resident of Veeranamur Village, in Villupuram District and she is a widow. She applied for appointment to the post of Cook Helper. She was

fully qualified for the said post and she attended interview on 22.10.2010. However, the second respondent instead of selecting the petitioner, appointed the third respondent as Cook Helper, who is residing 7 Kms. away from the Noon Meal center. Hence, she gave a representation to the first respondent on 06.01.2011. Since no action was taken, the present Writ Petition.

4. The learned Government Advocate appearing for the first respondent submitted that the prayer sought for in the Writ Petition cannot be entertained for the reason that the appointment of third respondent was not challenged by the Writ Petitioner.

5. However, considering the facts of the case and the limited scope of the prayer sought for in the Writ Petition, this Court without going into the merits of the case, directs the first respondent to consider the representation of the petitioner, dated 06.01.2011 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, as expeditiously as possible.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

pds / pvs

To

1.The Director of Social Welfare,
Chepuak, Chennai - 600 005.

2. The Commissioner,
Vallam Panchayat Union,
Vallam, Villupuram District.

+1cc to Mr.P.Rajendran, Advocate SR.No.72676

+1cc to Government Pleader SR.No.72406

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SPD (CO)

GMV (14/11/2018)