

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.1276 of 2018
and W.M.P.Nos.1591 & 1592 of 2018

C.Madammal
W/o.Chinnasamy

... Petitioner

Vs

1.The Personal Assistant to the District Collector,
[Noon Meal] [General],
Dharmapuri District,
Dharmapuri 636 705

2.The Block Development Officer,
Panchayat Union Office,
Kairyamangalam 635 111
Dharmapuri District.

3.Jeeva

.... Respondents

Writ Petition filed under Article 226 of The Constitution of India seeking for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 1st respondent in his office Ref.Na.Ka. No.1521/2016/X1 dated 14.11.2017, quash the same and direct the respondents 1 and 2 to consider the petitioner's candidature and pass necessary orders appointing the petitioner to the post of Noon Meal Assistant Cook in the Noon Meal Centre at Bandharahalli Higher Secondary School, Bandharahalli, Karimangalam Taluk, Dharmapuri District, within the time that may be fixed by this Hon'ble Court.

For Petitioner: Mr.P.Mani

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Govt. Pleader for R1 & R2

: Mr.P.Mohanraj for R3

O R D E R

This writ petition is directed against the order of the 1st respondent dated 14.11.2017 appointing the 3rd respondent as Noon Meal Assistant Cook on various grounds.

2.Heard the learned counsel appearing for both sides and perused the materials available on record.

3.Learned Special Government Pleader fairly concedes that the post in question has been reserved for Backward Community category, instead of appointing a candidate belonging to Backward Community, the 3rd respondent belonging to Scheduled Caste was wrongly appointed as against the rules of reservation and produced a copy of the proceedings of the District Collector dated 30.01.2018, cancelling the appointment order issued in favour of the 3rd respondent herein. He further submitted that the petitioner herein is only the eligible candidate to be considered for the said post.

4.In view of the above, it is for the concerned respondent to decide the petitioner's case in accordance with law.

The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

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To

1.The Personal Assistant to the District Collector,
[Noon Meal] [General],
Dharmapuri District,
Dharmapuri 636 705

2.The Block Development Officer,
Panchayat Union Office,
Kairyamangalam 635 111
Dharmapuri District.

+1 CC to Govt. Pleader sr 11745.
+1 CC to Mr. P. Mani, Advocate sr 11215.

W.P.No.1276 of 2018
and
W.M.P.Nos.1591 & 1592 of 2018

KAN(CO)
SP(12/04/2018)



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