

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2018
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2493 of 2018

Dhanalakshmi
W/o Ramachandran

.. Petitioner

-vs-

1. The District Collector
O/o Collectorate office
Dharmapuri District

2. The Block Development Officer
BDO office
Dharmapuri District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.01.2018.

For Petitioner :: Mr.V.Sakkarapani

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader for R1
Mr.M.Thamizharasan
Standing Counsel for R2

ORDER

This writ petition has been filed seeking a mandamus to the respondents to consider the representation of the petitioner dated 6.1.2018, wherein she has sought for a prayer to appoint her as a Cook in the Panchayat Union Primary School, Chinnangadu, Dharmapuri District.

2. Learned counsel for the petitioner submitted that when the Panchayat Union Primary School at Chinnangadu was established in the year 2014 with 75 students studying from Standards I to V, no one was appointed as a Noon Meal Organizer or Cook in the said school. Only the Headmaster and the teachers jointly engaged the petitioner as a Cook without any salary and the petitioner also, while preparing the food at Periyur village school, used to serve the food to the children studying in the

Chinnangadu primary school, which is about 3 Kms., away from the Periyur village school. After seeing that the petitioner has been preparing food in a different place and serving the same to the children in the school in question, the Headmaster has issued a certificate dated 28.2.2017 recommending her candidature for appointment as a Cook. In addition thereto, the petitioner also has given her representation on 6.1.2018 to the respondents to consider her candidature for the said post. But till date, no order has been passed on her representation. Therefore, a direction may be issued to the respondents to consider her representation, he pleaded.

3. But this Court is not able to find any merit in this writ petition. The reason is that when the post of Cook in any Noon Meal Centre is being filled up after issuing proper notification in the dailies inviting applications from the eligible candidates and only after receipt of the applications, the District Collector has to choose the eligible candidate, it is not known whether the petitioner is eligible or not. Therefore, the petitioner has to wait and apply for the said post as and when any notification is issued. Without following that course, the petitioner cannot come to this Court, as this Court has no jurisdiction to consider the candidature of the petitioner. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ss

To

1. The District Collector
O/o Collectorate office
Dharmapuri District
2. The Block Development Officer
BDO office
Dharmapuri District

+1cc to Mr.V.Sakkarapani, Advocate, S.R.No.9537
+1cc to the Government Pleader, S.R.No.9762

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RRK(23/02/2018)