

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.2567 of 2018

&

W.MP.Nos.3161 & 3162 of 2018

V.Sridevi .. Petitioner

Vs

1. The Director Collector,
Dharmapuri District,
Dharmapuri

2. The Block Development Officer,
Dharmapuri Panchayat Union,
Dharmapuri

3. E.Sumathi ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus after calling for the records concerned relating to the order nil dated .11.2017 passed by the 1st respondent in NA.KA.No.1521/2016/X1 appointing the 3rd respondent as Noon Meal Organizer and quash the same and consequently direct the first respondent to consider and appoint the petitioner as Noon Meal Organizer with all consequential monetary and other benefits.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

for R1

: Mr.A.Dernarenderan
Standing Counsel for R2

O R D E R

This Writ Petition has been filed challenging the order dated .11.2017 passed by the 1st respondent in NA.KA.No.1521/2016/X1 appointing the 3rd respondent as Noon Meal Organizer and to quash the same and consequently direct the first respondent to consider and appoint the petitioner as Noon

Meal Organizer with all consequential monetary and other benefits.

2. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader who accepts notice for the first respondent and the learned standing counsel who accepts notice for the second respondent.

3. The learned counsel for the petitioner, assailing the impugned order of appointment passed by the District Collector, Dharmapuri submitted that the petitioner has studied +2 and belongs to M.B.C. Kurumba community. When she had applied for the post of Noon Meal Organizer in the Dharmapuri District, the Block Development Officer, by the proceeding dated 29.06.2017 directed her to appear for interview on 11.07.2017 in the office of Dharmapuri Panchayat Union. Accordingly, she also appeared for the said interview along with requisite documents. It is further stated that the name of the petitioner was also registered in the District Employment Office, Dharmapuri, Department of Employment and Training, on 17.08.2012. It is further contended that the third respondent, who has completed B.A., M.A., and passed typewriting tamil and English higher grade and who had written competitive examination being conducted by the Tamilnadu Public Service Commission was selected by the first respondent for appointment as Noon Meal Organizer and was posted to Adi Dravidar Middle School, Rajapetti, by an order dated ...11.2017. Challenging the same, the present Writ Petition is filed.

4. The main contention of the learned counsel for the petitioner is that first respondent should have given top priority to the petitioner stating that she is not having better future or larger scope for employment in comparison with the third respondent, who has studied B.A., M.A., and passed typewriting tamil and English higher grade and who had written competitive examination being conducted by the Tamilnadu Public Service Commission. Secondly, the petitioner is residing in the nearest place which is closure to the Centre. Whereas, the third respondent is living 2 km. away from the centre. Therefore, the petitioner ought to have been selected for the post of Noon Meal Organizer. Further, it is submitted that no selection committee is formed, for appointment of the Noon Meal Organizers.

4. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Court holds that the first respondent, by considering the educational qualification of the third respondent who has studied B.A., M.A., and passed typewriting tamil and English higher grade and who had written competitive examination being conducted by the Tamilnadu Public

Service Commission, when compared to petitioner who has studied only +2 has selected the third respondent for the said post. Therefore, it is not known how the petitioner can challenge the appointment made in favour of the third respondent. Further, the District Collector who is the appointing authority has rightly passed an order of appointment in favour of the third respondent.

5. For the aforesaid reasons, this Court is not inclined to grant relief as prayed for by the petitioner and therefore this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Director Collector,
Dharmapuri District,
Dharmapuri
2. The Block Development Officer,
Dharmapuri Panchayat Union,
Dharmapuri

+lcc to the Government Pleader, S.R.No.9761

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RRK(13/03/2018)

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