

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Twentieth day of August Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE SATRUGHANA PUJAHARI

WMP NO.24818 OF 2018

IN WP.21138 OF 2018

ARUMAIBUVANESWARI [PETITIONER]

Vs

1 THE DISTRICT COLLECTOR [RESPONDENTS]
(NUTRITION MEAL PROGRAMME),
CUDDALORE DISTRICT.

2 PERSONAL ASSISTANT TO
DISTRICT COLLECTOR, (NUTRITION MEAL
PROGRAMME), OFFICE OF THE DISTRICT COLLECTOR,
CUDDALORE DISTRICT.

3 THE COMMISSIONER, PANCHAYAT
UNION, NERAMANI, VEPPUR TALUK,
CUDDALORE DISTRICT.

4 GOVERNMENT AIDED ELEMENTARY
SCHOOL, REP BY ITS HEAD MASTER, NERAMANI
VILLAGE, VEPPUR TALUK,
CUDDALORE DISTRICT 606 304.

5 BLOCK DEVELOPMENT OFFICER,
VIRUDHACHALAM, CUDDALORE DISTRICT.

Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to

issue an interim direction, directing the Respondents 1 to 5
to permit the petitioner to function as Noon Meal Organisr of the
4th Respondent School as on interim measure pay salary (in
WMP.No.24818/18) pending disposal of the writ petition 21138/18.

Order : This petition coming on for orders upon perusing
the petition and the affidavit filed in support thereof and upon
hearing the arguments of M/S.S.SARAVANA KUMAR Advocate for the
petitioner and of M/S.THANGA VADHANA BALAKRISHNAN Additional
Government Pleader for 1 & 2 respondents and M/S.P.KAVITHA

Government Advocate for 4th respondent and M/S.S.N.PARTHASARATHY
Government Advocate for 3 & 5th respondent on behalf of the
Respondents the court made the following order:-

The grievance expressed by the petitioner is that earlier notification in Na.Ka.No.P.T 1 /298/2016 dated 09.07.2016 was issued for recruitment to the post of Noon Meal Organizer in 4th respondent school for the entire Panchayat union area of Cuddalore District under Puratchi Talaivar M.G.R Nutritious Meals Scheme but the said selection process was canceled on the ground of communal rotation has not been incorporated in the said notification. Now, the respondents 1 and 2 have issued a fresh notification incorporating the aforesaid fact but the cut of date with regard to age provided in the present notification has made the petitioner ineligible and hence, the petitioner has come forward to challenge the said notification seeking a direction to continue with the process of selection on the earlier notification and also an interim direction to appoint the petitioner pursuant to the earlier notification.

2. Heard the submission of learned counsel appearing for the petitioner and also perused the material placed before this Court.

3. Needless to say that allowing such a prayer for quashment of the present notification shall amount to grant of final relief that too without hearing the learned counsel appearing for the respondents, therefore, this Court while issuing notice in the aforesaid writ petition is not inclined to grant such interim prayer but in the peculiar circumstances of the case, directs the respondents to accept the application of the petitioner who is age bared in pursuant to the present notification and consider his case also for selection in the new recruitment process but such selection process made in respect of the post for which the petitioner would apply pursuant to this interim order shall be subject to the outcome of the writ petition.

4. The Writ miscellaneous petition filed in WMP No.24817 of 2018 to dispense with the production of the original of the proceedings of the 2nd respondent dated 09.07.2018 is ordered.

5. Post on 10.09.2018.

-sd/-

20/08/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT COLLECTOR
(NUTRITION MEAL PROGRAMME),
CUDDALORE DISTRICT.

2 PERSONAL ASSISTANT TO
DISTRICT COLLECTOR, (NUTRITION MEAL
PROGRAMME), OFFICE OF THE DISTRICT COLLECTOR,
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GOVERNMENT AIDED ELEMENTARY SCHOOL,
NERAMANI VILLAGE, VEPPUR TALUK,
CUDDALORE DISTRICT 606 304.

5 BLOCK DEVELOPMENT OFFICER,
VIRUDHACHALAM, CUDDALORE DISTRICT.

C.C. to M/S.S.SARAVANA KUMAR Advocate SR.No.9934

The Government Advocate, High Court, Madras - 104.

Order

in

WMP.24818/2018

in

WP.21138/2018

Date :20/08/2018

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SDR 23.08.2018