



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos.3174 of 2018

and

W.M.P (MD) No.3331 of 2018

S.Sathya

... Petitioner

Vs.

1. The District Collector (Noon Meal),
Pudukkottai District,
Pudukkottai.

2. The Personal Assistant to District Collector
(Noon Meal/In-charge),
Pudukkottai,
Pudukkottai District.

3. The Commissioner,
Viralimalai Panchayat Union,
Viralimalai,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to appoint the petitioner in the post of Noon Meal Organizer in V.Pudupatti Panchayat Union School, Viralimalai Taluk, Pudukkottai District based on the interview conducted by the second respondent on 24.02.2017 in the light of the permission given by the first respondent to participate in the interview on her appeal dated 20.02.2017 and also based on her poor economic condition, educational qualification, place of residence, community and permanent disability of the child as well within a time frame as fixed by this Hon'ble Court.

For Petitioner

:Mr.B.Prahalad Ravi

For R1 and R2

:Mr.K.Saravanan

Government Advocate

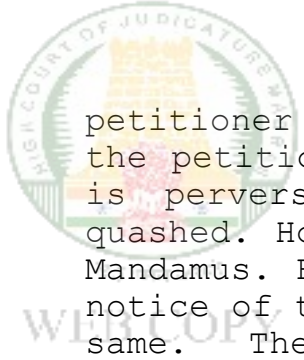
For R3

:Mr.R.Murugan

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner belongs to Sakkilian community. It falls under the category SC(A). When she applied for the post of Noon Meal Organizer in the V.Pudupatti Panchayat Union School, Viralimalai Taluk, Pudukkottai District, her case was rejected on the ground that it has been earmarked for SC(A) category. When the



petitioner is belonging to the SC(A) category, it is strange that the petitioner's application was rejected. The reason for rejection is perverse and unsustainable in law. The impugned order is quashed. However, the writ petitioner has sought only the relief of Mandamus. But the communication dated 10.02.2017 was brought to the notice of this Court. Hence this Court has necessarily to quash the same. The respondents are directed to appoint the petitioner as Noon Meal Organizer in V.Pudupatti Panchayat Union School, Viralimalai Taluk, Pudukkottai District.

3.The learned counsel appearing for the petitioner states that she is having requisite educational qualification and she fulfils the other parameters also. He would also contend that there is no other rival candidate. The submissions of the learned counsel for the petitioner are not controverted.

4.In view of the above, the respondents are directed to issue an order of appointment within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is accordingly allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector (Noon Meal),
Pudukkottai District,
Pudukkottai.
2. The Personal Assistant to District Collector
(Noon Meal/In-charge),
Pudukkottai,
Pudukkottai District.
3. The Commissioner,
Viralimalai Panchayat Union,
Viralimalai,
Pudukkottai District.

+1CC to Mr.B.Prahalad Ravi Advocate in SR.No.56140,
+1Cc to the Special Government Pleader in SR.No. 56285.

RMI

DS/RSK/SAR-2 :07.05.2018: 2P/6C

W.P. (MD) Nos.3174 of 2018
and

W.M.P (MD) No.3331 of 2018
16.03.2018