



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM

THE HON'BLE Mr.JUSTICE R.SURESH KUMAR

W.P.(MD) No.15107 of 2018

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C.Selvi

.... Petitioner

-Vs-

The District Collector,
Sivagangai District,
Sivagangai.

.... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondent to consider the petitioner's representation dated 06.07.2018 submitted in regard of transfer of a Noon-meal Organizer at Panchayat Union Primary School, Kollangudi, Alagapuri Post, Kalaiyarkoil Taluk, Sivagangai District.

For Petitioner : Mr.P.Saravanakumar

For Respondent : Mrs.S.Srimathy
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is for a writ of Mandamus, directing the respondent to consider the petitioner's representation dated 06.07.2018, submitted in regard of transfer of a Noon-meal Organizer at Panchayat Union Primary School, Kollangudi, Alagapuri Post, Kalaiyarkoil Taluk, Sivagangai District.

2. Heard Mr.P.Saravanakumar, learned counsel, appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader, who takes notice for the respondent.

3. The learned counsel appearing for the petitioner would submit that, the petitioner has been working as Noon Meal Organizer at Periyakilavanchi Panchayat Union Middle School. Her native place is Kollangudi Village. The petitioner is the destitute woman, having two children. However, till date, she is travelling from her native place and because of long travel, she has undergone some health issues and according to the Doctor's Certificate, she has suffered with Lumbar-disc disease with Radiolopathy in Cervical Disc disease and because of that she advised not to take frequent travel. Because of these health reasons, the petitioner wanted to be placed at her native place i.e., Kollangudi Village, where the post of Noon Meal Organizer is vacant as of now. Therefore, in this regard, the petitioner has given a representation to the respondent on 06.07.2018.



4. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation of the petitioner is directed to be considered on health grounds and an order to that effect is passed within the time fixed by this Court, the petitioner would be satisfied.

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5. I have heard the learned Additional Government Pleader, who, would submit that, the place, where the petitioner is working is not far off place from the native place of the petitioner and merely because, the petitioner's native place is some different station, she cannot expect that, she should be posted only at her native place.

6. However, the petitioner has given a representation on 06.07.2018 and the P.A. to the District Collector (Noon Meal Scheme), who is not the respondent herein, is the Competent Authority to consider this kind of representation. Therefore, the said representation dated 06.07.2018 given by the petitioner would be considered by the Competent Authority on merits and an order to that effect shall be passed within a time frame.

7. In view of the limited scope of the Writ Petition and by taking note of these submissions made by both sides, this Court is inclined to pass the following order:-

"that the P.A. to the District Collector (Noon Meal Scheme), Sivagangai District, Sivagangai, i.e., P.A. to- the respondent herein, shall consider the representation of the petitioner dated 06.07.2018 on merits and in accordance with law by taking into account, the health condition of the petitioner and decide the same with regard to the grievance of the petitioner to transfer the petitioner to her native place, i.e., to Kollagudi Village, where, the petitioner claimed that there is a vacancy of Noon Meal Organizer and pass orders thereon within a period of six weeks from the date of receipt of a copy of this order.

8. With these directions, the Writ Petition stands disposed of. No costs.

Sd/-

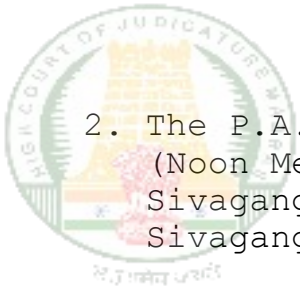
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.



2. The P.A. to the District Collector,
(Noon Meal Scheme),
Sivagangai District,
Sivagangai.

+1CC to M/s.P.KALAIYARASI BHARATHI, Advocate, SR.No. 72703

+1CC to the Special Government Pleader SR.No. 72801

W.P. (MD) No.15107 of 2018
12.07.2018

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ES/SV/SAR 4/17.07.2018/3P/5C