

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.02.2019

CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.157 of 2018
and
W.M.P.Nos.217 & 246 of 2018

M.Vinitha

...Petitioner

Vs

1.The Principal Secretary to
Government of Tamil Nadu
Department of Social Welfare,
Secretariat, Chennai-600 009.

2.The Commissioner,
Panchayat Union,
Kaveripakkam, Vellore District.

3.Mrs.Paun

....Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the entire records in pursuant to the selection order issued by the 2nd respondent in favour of the 3rd respondent to the post of Noon Meal Organiser Panchayat Union Elementary School Malaimedu and quash the same with a consequential direction to the 2nd respondent to appoint the petitioner in the said post within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

For Respondents : Mrs.P.Rajalakshmi
Additional Government Pleader

Mrs.A.Srijayanthi for R2

O R D E R

The grievance of the writ petitioner is that though she is fully qualified for appointment to the post of Noon Meal Organiser in Panchayat Union Elementary School, her case was not considered without any valid reason.

2. The learned counsel appearing for the petitioner states that the petitioner has attended the interview for appointment to the post of Noon Mool Organiser on 26.04.2017 and she was asked to produce certain documents at the time of interview. As directed by the 2nd respondent, the petitioner has submitted all the documents. In spite of that, the case of the writ petitioner was not considered for appointment.

3. The learned Additional Government Pleader appearing on behalf of the respondents submitted a proceeding issued by the Personal Assistant (NMP) to Collector, Vellore-9, which states as follows:

The petitioner and the selected candidate obtained the marks in the interview on 26.04.2017 detailed are below for the post of Noon Meal Organiser in Malaimedu Panchayat Union Primary School.

Category:BC (Non-Priority)

S.No	Particulars	Maximum Marks	Marks obtained by the Candidate Selected (Pavun w/o Vimal)	Petitioner (R.Vinitha w/o Narasimman)
1.	Age Factor (both are below 35) (01.12.2016 Candidate must have completion of minimum age 21 & not exceed for 40)	5marks	-	-
2 (A).	For resident within one km radius of Noon Meal Centre	20 Marks (maximum)	-	20 marks
(b)	For resident outside the 1 km radius but within 2 km distance from the Noon meal centre	10 marks	-	-
(c)	For resident outside 2 km radius but within 3 km distance from the Noon Meal Centre	5 marks	5 marks	-
3.	For possessing Ration card-Anthothya Anna Yogana card/Green Card	5/2 marks	-	-
4 (A)	For Destitute Widow	10 marks	-	-

S.No	Particulars	Maximum Marks	Marks obtained by the Candidate Selected (Pavun w/o Vimal)	Petitioner (R.Vinitha w/o Narasimman)
(b)	For Deserted Woman (Abandoned by husband)/Widow	5 marks	5 marks	-
5.	Candidate who are having two female children	5 marks	-	-
6.	For knowledge in maintaining Accounts	5 marks	2 marks	-
	Total	50 marks	12 marks	20 marks

Petitioner R.Vinitha Date of Birth (as per certificate 23.06.1996) at the time of Interview Petitioner R.Vinitha Age was 20 she is not eligible for this post.

4. In view of the fact that the writ petitioner is underaged and not completed 21 year of age as on 01.12.2016, she was not selected and therefore, this Court is of an opinion that there is no infirmity as such in respect of the decision taken by the competent authority. The Date of Birth of the writ petitioner is 23.06.1996 and therefore, she had not completed 21 years of age as on the date of the notification on 01.12.2016.

5. Thus, the writ petition is devoid of merits and accordingly, stands dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sk

To

The Principal Secretary to
Government of Tamil Nadu
Department of Social Welfare,
Secretariat, Chennai-600 009.

+lcc to Mr.T.P.Prabakaran, Advocate, S.R.No.12495
+lcc to the Government Pleader, S.R.No.12886

W.P.No.157 of 2018

MG(CO)
rrs 11/03/2019