



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7127 of 2011
and
M.P (MD).No.1 of 2011

R.Jeya

... Petitioner

Vs.

1.The District Collector,
Theni District, Theni.

2.The Personal Assistant (Noon Meal)
to the District Collector,
Theni District, Theni.

3.S.Rohini

4.The Commissioner,
Chinnamanoor Municipality,
Chinnamanoor, Theni District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned order of the 2nd respondent issued in his communication Na.Ka.No.12446/2011/O.Va.12 dated 21.04.2011 and quash the same and direct the respondents to appoint the petitioner as Noon Meal Organizer in any vacancy.

For Petitioner: Mr.K.Muthumalai

For R1 and R2 : Mr.K.Mu.Muthu
Additional Government Pleader

For R3 : Mr.S.Krishnan

For R4 : Mr.T.S.Mohamed Mohideen

ORDER

The learned counsel for the respondent appearing on behalf of the fourth respondent made a submission that the writ petitioner belongs to MBC community and the post of Noon Meal Organizer at Lingammal Primary School, Chinnamanoor, Theni District, is reserved for BC community. Even at the time of process of selection, the writ petitioner was aged about 50 years and now, he would be around 58 years. This apart, the post of Noon Meal Organizer at Lingammal



Primary School, is reserved for MBC Community and the writ petitioner belongs to BC Community. This being the basic facts placed before this Court, the writ petitioner is not at all eligible to get appointment in the post of Noon Meal Organizer in Lingammal Primary School, at Chinnamannor. This apart, the appointed candidate/third respondent is serving in the post for the past 8 ½ years and under these circumstances, this Court is not inclined to consider the claim of the writ petitioner.

2. In view of the above, this writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,

Theni District, Theni.

2. The Personal Assistant (Noon Meal)
to the District Collector,
Theni District, Theni.

+1 CC to SPL GP SR-67621.

+1 CC to Mr. T. S. MOHAMED MOHIDHEEN, Advocate SR-67361.

**W. P. (MD) No. 7127 of 2011
and
M. P (MD) .No. 1 of 2011
07.06.2019**

CS: (18/06/2019) 3P 5C