

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.15006 of 2011
and
M.P.Nos.1 and 2 of 2011

Mary Stella

... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. By its Secretary,
Department of Social Welfare & Nutrition Meals
Programme (NMP),
Secretariat,
Chennai 600 009.
2. The District Collector,
Collectorate,
Villupuram.
3. The Block Development Officer,
Koliyaur,
Villupuram District.
4. The General Manager,
MRIC RC Higher Secondary School,
Villupuram,
Villupuram District.
5. R.Amirthavalli

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in Na.Ka.No.A5/2007/2010 dated 29.10.2010 on the file of the 2nd Respondent and quash the same, directing the 2nd Respondent to appoint the Petitioner as Nutritious Meal Organizer in the 4th Respondent School.

For Petitioner : No appearance
for Mr.P.Anbazhagan

For Respondents 1 to 3 : Mr.A.Zakir Hussain,
Government Advocate

For 4th Respondent : No appearance

For 5th Respondent : No appearance

O R D E R

Petitioner has come up with the present Writ Petition challenging the order dated 29.10.2010 passed by the 2nd Respondent herein and for a consequential direction to the 2nd Respondent to appoint her as Nutritious Meal Organizer in the 4th Respondent/School.

2. When the matter came up last, none represented the Petitioner. Though the matter is listed today under the caption 'for dismissal', there is no representation on behalf of the Petitioner.

3. From the records, it is seen that, no interim order has been passed by this Court so far and nine years have gone by. Counter Affidavit has been filed on behalf of Respondents 1 to 3.

4. According to the Petitioner, the 4th Respondent is a Christian Minority School, where, the post of Cook under the Noon Meal Scheme fell vacant on 30.06.2009. Seeking appointment as Cook in the said School, the Petitioner made a representation to the 3rd Respondent on 17.06.2009. The 4th Respondent, vide proceedings in R.C.No.60/2009, dated 11.10.2010, recommended the Petitioner's name to the post of Cook in their School, to the 3rd Respondent. The 3rd Respondent, instead of appointing the Petitioner as Cook in the 4th Respondent School, appointed the 5th Respondent to the said post in that School.

5. The case of the Petitioner is that, she is residing nearby the 4th Respondent School and hence, she will be helpful in the effective running of the Nutritious Noon Meal Scheme in the 4th Respondent School. It is her grievance that, when the 4th Respondent School has recommended her name to the post of Cook in their School, the action of the 3rd Respondent in appointing the 5th Respondent as Cook in the 4th Respondent School, is arbitrary.

6. Even going by the averment of the Petitioner that, the 4th Respondent School recommended her name to the post of Cook in their School, to the 3rd Respondent herein, appointment of the 5th Respondent is an administrative order, and it cannot be sought to be interfered with, at this distant point of time, when, no interim order has been granted by this Court, so far. In view of the same, this Court finds no reason to interfere with the order impugned in this Writ Petition.

Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

(aeb/jas)
To:

1. The Secretary,
Government of Tamil Nadu,
Department of Social Welfare & Nutrition Meals
Programme (NMP),
Secretariat,
Chennai 600 009.
2. The District Collector,
Collectorate,
Villupuram.
3. The Block Development Officer,
Koliyaur,
Villupuram District.

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