

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.14455 of 2010
and M.P.No.2 of 2010

G.Kamatchi

... Petitioner

-vs-

1.The District Collector,
Salem District, Salem.

2.The Commissioner,
Tharamangalam Panchayat Union,
Omalar Taluk, Salem.

3.V.Malathai

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the proceedings of the 1st respondent in ROC No.925/2009/Sa.Oo.Thi 2 dated 05.05.2010 appointing the 3rd respondent as Noon Meal Organizer in Kondakaranoor Panchayat Union School, Pappampadi Village, Tharamangalam Union under the 2nd respondent and to quash the same and consequently direct the respondents 1 and 2 to appoint the petitioner as Noon Meal Organizer in Kondakaranoor Panchayat Union Elementary School, Pappampadi Village, Tharamangalam Union under the 2nd respondent as a priority candidate as per the guidelines.

For Petitioner : No Appearance

For R1 : Mr.M.Manigopi,
Govt. Advocate

For R2 : Mr.A.Arumugam

For R3 : M/s.Zeenath Begum

For Mr.T.Murugamanickam

O R D E R

The Writ Petition has been filed, seeking to quash the proceedings of the 1st respondent in ROC No.925/2009/Sa.Oo.Thi 2

dated 05.05.2010, appointing the 3rd respondent as Noon Meal Organizer in Kondakaranoor Panchayat Union School, Pappampadi Village, Tharamangalam Union under the 2nd respondent. The petitioner also sought for a direction to appoint her as Noon Meal Organizer

2. In the affidavit filed by the petitioner, it is stated that the 3rd respondent is not eligible and that the petitioner has fulfilled the condition.

3. The respondents 1 and 2 contended that the petitioner has not completed 25 years of age on the date of application, namely, 01.12.2009 and even according to the petitioner, her date of birth is 23.05.1985 and she was only 25 years old. Since there is a shortage of more than six months, she has not completed 25 years of age. Therefore, there is no interference warranted in the order passed by the 1st respondent.

4. There is no representation for the petitioner. Heard the learned Government Advocate appearing for R1 and the learned counsel for R2 and R3.

5. It is seen that the 2nd respondent sent an interview call letter dated 20.01.2010 to the petitioner, directing her to attend the interview on 01.02.2010 with all relevant certificates. It is crystal clear that the petitioner could not have completed 25 years of age even on the date of interview and has not fulfilled the eligibility criteria and therefore, the rejection is perfectly justified and the Writ Petition is dismissed.

6. The matter is pending for nearly 10 years and though the petitioner was given an opportunity to contest the matter, there is no representation for the petitioner and therefore, this Court has decided to pass orders on merits. The act of the respondents 1 and 2 is also highly deprecated, as no counter has been filed so far and hereinafter, this Court expects the Officials of Government Departments to file counters in all pending matters at the earliest point of time and cooperate for early disposal of the matter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To:

1.The District Collector,
Salem District, Salem.

2.The Commissioner,
Tharamangalam Panchayat Union,
Omalur Taluk, Salem.

+1cc to the Government Pleader Sr.24971

W.P.No.14455 of 2010

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