

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10/3/2020

C O R A M

THE HON'BLE MR.JUSTICE V.PARTHIBAN

Writ Petition No.20864 of 2018

B. Ayesha Sultana

...

Petitioner

Vs

1.The Secretary to Government
Social Welfare and Nutritious
Food Programme Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009.

2.The District Collector
Dharmapuri District
Dharmapuri.

3.The Block Development Officer
Karimangalam Panchayat Union
Dharmapuri District.

...

Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the third respondent to pass appropriate order to appoint the petitioner as Nutritious Food Organiser in respect of Nagathalakuluppu Government Primary School, Dharmapuri District.

For petitioner

...

Mr.D.Ramesh Kumar

For respondents

...

Mr.M.D.Ilayaraja
Government Advocate
for R.R.1 and 2

Mr.R.S.Selvam
Government Advocate
for R.3.

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O R D E R

The grievance of the petitioner herein is that she participated in selection for appointment to the post of Nutritious Food Organiser in Karimangalam Panchayat Union. The petitioner attended the interview in response to the call letter dated 18/7/2017. However, the results of the selection had not been published and the apprehension of the petitioner is that one other candidate is a spinster and she is likely to be appointed to the post. Hence, the petitioner has filed the instant writ petition.

2. In response to the notice issued by this Court, Mr.R.S.Selvam, learned Government Advocate has entered appearance and counter affidavit is filed on behalf of the third respondent.

3. Learned Government Advocate for the third respondent would submit that as per the guidelines in force which is provided for under G.O.Ms.No.163, Social, Welfare and Nutritious Meal Department, dated 16/8/2010, a person who is to be selected in the subject post should reside within three kilometres from the place in which he/she appointed. Learned Government Advocate would further submit that the petitioner herein is living 8 kms away from the Noon Meal Centre/place of work. Therefore, as per the guidelines, she is not entitled to be appointed at all.

4. Moreover, the learned counsel would also submit that none of the candidates interviewed in the selection, satisfy the criteria and therefore, the third respondent is proposing to conduct a fresh selection.

5. In view of the submission made in the counter affidavit filed by the third respondent, this Court is of the considered view that the grievance of the petitioner has no substance and hence writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mvs.

To

1.The Secretary to Government
Social Welfare and Nutritious
Food Programme Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009.

2.The District Collector
Dharmapuri District
Dharmapuri.

3.The Block Development Officer
Karimangalam Panchayat Union
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+1 CC to Mr.D.Ramesh Kumar, Advocate, sr 20998

+1 CC to Mr.R.S.Selvam, Advocate, sr 21122

+1 CC to The Government Pleader, sr 21647

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NMI (CO)
AT (22/05/2020)



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