

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 18.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.20086 of 2014
and
M.P.Nos.1 & 2 of 2014

S.Kokila ... Petitioner

- Vs -

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.Chetpet Panchayat Union,
Rep. By its Commissioner,
Chetpet, Polur Taluk,
Tiruvannamalai District. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorarified Mandamus, calling for records of the Respondents, relating to the impugned order of the 1st respondent in proceeding Na.Ka.No.2405/2014/NMP-1, dated 19.04.2014 and quash the same and consequently direct the Respondents to reinstate the Petitioner in service to the post of Noon-Meal Organizer at Panchayat Union Elementary School, Kizhakkumedu, Chetpet Panchayat Union, Tiruvannamalai District with continuity of service and monetary benefits.

For Petitioner : M/S.A.Bharathi

For Respondents : Mr.S.Thangavel, Spl.G.P.,

ORDER

When the matter is taken up for hearing, learned counsel for the petitioner submitted that on an earlier occasion, the petitioner was appointed as Noon Meal Organizer at Panchayat Union Elementary School, Kizhakkumedu, Chetpet Panchayat Union, Tiruvannamalai District and the petitioner also joined duty on

07.08.2012 vide the 1st respondent's proceedings dated 06.08.2012. However, after appointment, on the next day i.e., 08.08.2012, he was orally informed by the 2nd respondent that she has been terminated from service and she was not allowed to discharge her duties. Thereafter, she made a representation on 15.09.2012 to the District Collector, Tiruvannamalai narrating all the facts and requesting to allow her to continue to serve as Noon Meal Organizer. Without assigning any valid reasons, the petitioner was terminated from service by oral termination order and no response emanated from the 1st respondent. Aggrieved against the same, she filed a writ petition in WP.No.34613 of 2013 before this court and this Court, by order dated 19.12.2013, issued a direction to the 1st respondent to consider her representation dated 15.09.2012, within a period of four weeks from the date of receipt of a copy of that order. Pursuant to the order of this Court, the 1st respondent passed the impugned order dated 19.04.2014, rejecting her request for reinstatement, saying that at no point of time an order of appointment was issued in her favour.

2.Learned counsel further submitted that though the petitioner's representation was rejected by the impugned order, however this Court without interfering with the above order, may permit the to participate in the future vacancy, if any arises, and also to direct the respondent to consider her candidature on priority basis.

3.On the above contention, this Court heard the learned Special Government Pleader appearing for the respondents, who has no serious objection to such a direction being issued.

4.In view of the limited request sought for by the petitioner and there being no serious objection by the respondents, this court, without going into the merits of the issue, grants liberty to the petitioner to participate in the future vacancy , if any arises.

5.With the above direction, this Writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jrs

To

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.Chetpet Panchayat Union,
Rep. By its Commissioner,
Chetpet, Polur Taluk,
Tiruvannamalai District.

+1cc to the Government Pleader, S.R.No.42239

UM(CO)
SM (09/02/2021)

W.P. NO.20086 of 2014



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