



WEB COPY

W.P.(MD)No.8667 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.8667 of 2020

and

WMP (MD) No.8012 of 2020

P.Meena

... Petitioner

Vs.

- 1.The State of Tamil Nadu  
rep. by its Secretary to Government,  
Social Welfare and Nutritious Meal  
Programme Department,  
Secretariat, St. George Fort,  
Chennai.
- 2.The Secretary to Government,  
Backward Classes, Most Backward Classes and  
Minorities Welfare Department,  
Secretariat, Chennai.
- 3.The Commissioner of Backward Classes Welfare,  
Kamarajar Salai, Ezhilagam, Chepauk,  
Chennai.
- 4.The District Collector,  
Virudhunagar District,  
Virudhunagar.
- 5.The Child Development Project Officer,  
Rajapalayam,  
Virudhunagar District.
- 6.The District Backward Class and Minority  
Welfare Officer,  
Virudhunagar District,  
Virudhunagar.

... Respondents

**PRAYER** : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to forbear the respondents from filling up the posts of Cook in pursuant to the call letter issued by the 5<sup>th</sup> respondent vide his proceedings Na.Ka.No.330/2017 dated 12.08.2017 without publishing public notification notifying the vacancies and the communal roster to be followed and consequentially to direct the respondents to issue public notification notifying the vacancies and communal roster for recruitment to the post of Cook and proceed with the recruitment process of Cook in conformity with Article 14 & 16 of the Constitution of India.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioner :Mr.M.Mohammed Imran for  
M/s.Ajmal Associates  
For Respondents :Mr.S.Dhayalan, G.A.

WEB COPY

**ORDER**

The prayer sought for in this writ petition is for a Writ of Mandamus, to forbear the respondents from filling up the posts of Cook in pursuant to the call letter issued by the 5<sup>th</sup> respondent vide his proceedings Na.Ka.No.330/2017 dated 12.08.2017 without publishing public notification notifying the vacancies and the communal roster to be followed and consequentially to direct the respondents to issue public notification notifying the vacancies and communal roster for recruitment to the post of Cook and proceed with the recruitment process of Cook in conformity with Article 14 & 16 of the Constitution of India.

2.The petitioner, being a Widow, applied to the post of Cook under the 6<sup>th</sup> respondent in a Backward Class Hostel and accordingly, she was called for interview/certificate verification on 11.02.2020. The petitioner also did attend such interview/certificate verification and thereafter, nothing has been forthcoming from the respondents, especially, the 6<sup>th</sup> respondent as to whether the petitioner has been selected to the post or if not, any other person has been selected to the post. In this regard, the petitioner also has given a representation on 28.06.2020 and requested the respondents to select the petitioner and appoint her. Since nothing was forthcoming even after the representation having been given by the petitioner, she approached this Court by filing this writ petition with the aforesaid prayer.

3.Heard the learned counsel appearing for the petitioner, who would submit that, though the petitioner was called for interview/certificate verification, no question was asked to her and thereafter also nothing was forthcoming. Therefore, the petitioner has got some apprehension and suspicious that the procedures to be adopted in selecting the post of cook under the 6<sup>th</sup> respondent control not seems to have been adopted by them and therefore, in this regard, since there has been no transparency, selection process if any made pursuant to which, if any third party is selected other than the petitioner, that would be bad.

4.However, Mr.S.Dhayalan, learned Government Advocate appearing for the respondents would submit that, the petitioner did attend the interview and certificate verification pursuant to the call letter issued to her and thereafter, because of the COVID 19 situation, no selection has been made, that means, no one has so far been appointed. In this regard, to the best of the knowledge of the learned Government Advocate, on instructions, no such appointment



has been made and if at all, any selection is recently made and somebody is selected other than the petitioner or the petitioner is selected, certainly, that would be disclosed by the respondents to the petitioner in due course.

5.The said submission made by the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents is taken on record and considering the same, this Court is inclined to dispose of this writ petition with the following direction:

"The 6<sup>th</sup> respondent is hereby directed to consider the representation given by the petitioner dated 28.06.2020 and accordingly to reveal as to whether the selection process pursuant to the interview attended by the petitioner for the post of Cook under the 6<sup>th</sup> respondent is over or not, if it is over, somebody other than the petitioner is selected or it is not over, whenever it is over, after the normalcy is restored after COVID19 period, those developments can be revealed by sending a communication to the petitioner".

6.With this direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Arul

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government,  
State of Tamil Nadu,  
Social Welfare and Nutritious Meal  
Programme Department,  
Secretariat, St. George Fort,  
Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Secretary to Government,  
Backward Classes, Most Backward Classes and  
Minorities Welfare Department,  
Secretariat, Chennai.

3.The Commissioner of Backward Classes Welfare,  
Kamarajar Salai, Ezhilagam, Chempauk,  
Chennai.

4.The District Collector,  
Virudhunagar District,  
Virudhunagar.

5.The Child Development Project Officer,  
Rajapalayam,  
Virudhunagar District.

6.The District Backward Class and Minority  
Welfare Officer,  
Virudhunagar District, Virudhunagar.

**W.P. (MD) No. 8667 of 2020**

**04.08.2020**

VB (07.09.2020) 4P 7C