



WEB COPY

W.P. (MD) No.4270 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.4270 of 2021

and

W.M.P (MD) Nos.3458 and 3460 of 2021

V.Lakshmi

...Petitioner

Vs.

1.The Secretary to Government,
State of Tamil Nadu,
Social Welfare & Nutritious Meal
Programme Department,
St.George Fort,
Chennai-600 009.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The Municipal Commissioner /Special Officer,
Kumbakonam Municipality,
30/64, Dr.Moorthy Road,
Kumbakonam, Thanjavur District.

4.The Head Master,
Rani Subaiya Municipality High School,
Mumoorthy Sannathi Padayatchi Street,
Opp.Majanakara Street,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order of the third respondent in his proceedings in Na.Ka.No.10697/2020/C3 dated 11.01.2021 and to quash the same and to direct the second and third respondents to post the petitioner in the schools as stated in the representation dated 06.03.2020 and pass appropriate orders on the petitioners representation dated 06.03.2020 and post the petitioner as Noon Meal Organizer.

For Petitioner	: Mr.N.R.Balaji
For R-1 and R-2	: Mr.A.Muthukaruppan, Additional Government Pleader
For R-3	: Mr.M.Rajarajan Standing Counsel



ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Through the impugned order dated 11.01.2021, the petitioner herein has been promoted as Noon Meal Organizer and posted from N.V.N Municipal Primary School to Rani Subaiya Municipality High School. It is stated by the learned counsel for the petitioner that since Rani Subaiya Municipality High School is seven kilometre away, the petitioner faces difficulty to join in the said place. It is also the submission that the petitioner had given a representation seeking for posting her in a place of her choice, pursuant to the proceedings of the third respondent herein dated 24.02.2020. Such a representation dated 06.03.2020 is still pending.

3. I do not find any justification on the part of the petitioner to have not joined the promoted post of Noon Meal Organizer at Rani Subaiya Municipality High School and the reason that it is seven kilometre away may not be sufficient to direct the respondents to consider her request for posting at a place of her choice.

4. Nevertheless, since the third respondent herein had already called for the petitioner to give a representation seeking for posting at a vacant place and the petitioner has also given a representation dated 06.03.2020 in this regard, it would be appropriate to direct the second respondent herein to consider the petitioner's representation, on its own merits. However, the petitioner is required to first comply with the promotion order dated 11.01.2021 and join at the promoted place in Rani Subaiya Municipality High School. After joining the place, the second respondent herein shall consider the petitioner's representation dated 06.03.2021, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks therefrom.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

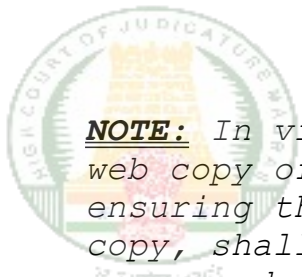
Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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.

WEB COPY

To

1.The Secretary to Government,
State of Tamil Nadu,
Social Welfare & Nutritious Meal
Programme Department,
St.George Fort,
Chennai-600 009.

2.The District Collector,
Thanjavur District,
Thanjavur.

+1 CC to M/s.SPL GP (SR-8730[F] dated 04/03/2021)

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-8874[F] dated 04/03/2021)

W.P. (MD) No.4270 of 2021

03.03.2021

GS(22.03.2021) 3P 5C