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W.P.No.3068 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.3068 of 2018

and

W.M.P.No.3756 of 2018

K.Lakshmi

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District, Dharmapuri – 636705.

2.The Block Development Officer,
Pennagaram Panchayat Union,
Pennagaram, Dharmapuri District.

3.J.Vijayalakshmi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in Pro.Na.Ka. No.1521/2016/X1 dated 13.11.2017, quash the same and issue consequential directions to 1st respondent herein to appoint the petitioner as Noon Meal Organizer in the Panchayat Union Elementary School, Kariyappanahalli Centre, Pennagaram Panchayat Union, Dharmapuri District.



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W.P.No.3068 of 2018

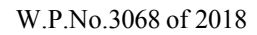
For Petitioner : Mr.R.Dhanasekar
For R1 & R2 : Mr.V.Arun
Additional Advocate General
Assisted by
Mrs.S.Anitha
Special Government Pleader
For R3 : No Appearance

ORDER

The appointment order of the 3rd respondent as Noon Meal Organiser in the Panchayat Union Elementary School, Kariyappanahalli Centre, Pennagaram Panchayat Union, Dharmapuri District is under challenge in the present writ petition.

2. The petitioner and the 3rd respondent along with the other candidates participated in the process of selection for the appointment to the post of Noon Meal Organiser.

3. The learned counsel for the petitioner states that the petitioner scored higher marks than the 3rd respondent and further, the 3rd respondent is residing beyond the radius of 3kms from the Centre and thus, the selection



of the 3rd respondent is in violation of the Government guidelines issued in G.O.Ms.No.163 dated 18.08.2010.

4. Pursuant to the interim direction granted by this Court, the Panchayat Union Officials conducted measurements regarding the distance between the Centre and the residence of the candidates. As per the certificate issued by the competent authority, the petitioner Smt.K.Lakshmi is residing at a distance of 2.76kms from the Centre and the 3rd respondent Smt.J.Vijayalakshmi is residing 1.70kms from the Centre. Thus, both the petitioner and the 3rd respondent are residing within the radius of 3kms.

5. The mark statement as awarded by the Selection Committee was also furnished before this Court. Accordingly, the petitioner Smt.K.Lakshmi scored 41 marks and the 3rd respondent Smt.J.Vijayalakshmi scored 48 marks. Thus, the 3rd respondent was selected and appointed as Noon Meal Organiser.

6. The learned counsel for the petitioner pointed out in the counter statement filed by the Block Development Officer reveals that the petitioner has scored 47 marks. However it was a clerical mistake committed by the



W.P.No.3068 of 2018

respondents and the Xerox copy of the original marks statement is furnished before this Court by the learned Additional Advocate General appearing on behalf of the respondents 1 and 2, which reflects that the petitioner scored only 41 marks and therefore, this Court do not find any infirmity in selecting the 3rd respondent for appointment to the post of Noon Meal Organiser.

7. Accordingly, the Writ Petition is devoid of merits and stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

26.10.2022

Jeni

Index : Yes

Speaking order

To

- 1.The District Collector,
Dharmapuri District, Dharmapuri – 636705.
- 2.The Block Development Officer,
Pennagaram Panchayat Union,
Pennagaram, Dharmapuri District.



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S.M.SUBRAMANIAM, J.

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