



W.P.No.17385 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17385 of 2016
and W.M.P.No.14869 of 2016

B.Sumathi

...Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Panchayat Union Commissioner,
Block Development Officer,
Kilpennathur Panchayat Union,
Thiruvannamalai District.

3.V.Revathi

Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the entire records in respect of the order dated 29.2.2016 in Na.Ka. No.10791/2014/Sa.Vu.The-1 and quash the same consequently direct the 1st respondent to appoint the petitioner as a Noon



W.P.No.17385 of 2016

Meal Organiser at Panchayat Union Middle School, Royampettai Village,

Kilpennathur Union, Thiruvannamalai District.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.V.Arun
Additional Advocate General

assisted by
Mrs.E.Indhumathi
Government Advocate for R1

No Appearance for R2

R3-Not ready in notice

ORDER

The order of appointment dated 29.02.2016 appointing the 3rd respondent as Noon Meal Organizer at Panchayat Union Middle School, Royampettai Village, Kilpennathur Union, Thiruvannamalai District. is under challenge in the present writ petition.

2.The petitioner states that she had participated in the process of selection for appointment to the post of Noon Meal Organizer. She appeared before the



W.P.No.17385 of 2016

Selection Committee on 21.02.2016 and submitted all the requisite documents and was expecting an order of appointment. While so, the 3rd respondent was appointed as Noon Meal Organizer in violation to the guidelines issued by the Government in G.O.Ms.No.163, dated 18.08.2010.

3.Pursuant to the interim directions issued by this Court, the competent authorities conducted measurement regarding the distance between the Noon Meal Centre and the respective residences of the candidates.

4.The learned Additional Advocate General furnished the copy of the mark statement as well as the distance certificate issued by the Block Development Officer. As per the marks awarded by the Interview Committee, the petitioner Smt.Sumathi scored 24 marks and the 3rd respondent Smt.Revathi scored 30 marks. However, the distance certificate issued by the authorities reveals that the petitioner Smt.Sumathi is residing at the distance of 0.900 Km from the Noon Meal Centre. But, the 3rd respondent Smt.Revathi is residing at the distance of 4.416 Km from the Noon Meal Centre. Thus, the 3rd respondent is not qualified for the appointment to the post of Noon Meal Organizer, since, the Government



W.P.No.17385 of 2016

guidelines stipulates that the candidates must reside within the radius of 3 Km from the Noon Meal Centre. In the present case, the 3rd respondent is residing beyond the distance of the 3 Km and therefore, she is not eligible for selection and appointment.

5.In view of the facts and circumstances, the order impugned passed by the 1st respondent in proceedings dated 29.02.2016 is quashed and the respondents 1 and 2 are directed to conduct a fresh selection by following the procedures as contemplated, as expeditiously as possible. Till such time, another in-charge staff take charge of the noon meal centre concerned, the 3rd respondent shall be allowed to continue in the post of noon meal organizer.

6.Accordingly, this writ petition stands allowed. No Costs. Consequently, connected miscellaneous petition is closed.

15.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes
SSR



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W.P.No.17385 of 2016

To

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Thiruvannamalai.
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W.P.No.17385 of 2016

S.M.SUBRAMANIAM, J.

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W.P.No.17385 of 2016
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