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W.P.No.11037 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11037 of 2018

Sanjala

... Petitioner

Vs.

1.The Commissioner of Social Welfare,
Chepauk, Chennai – 600005.

2.The District Collector,
Dharmapuri District,
Dharmapuri.

3.The Block Development Officer
Pennakaram
Pennakaram Taluk,
Dharmapuri District.

4.The Commissioner,
Dharmapuri District Panchayat Union,
Dharmapuri.

5.L.Ramani

... 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 of the 2nd respondent in his proceedings in Na.ka.No.1521/2016/X dated 14.11.2017 quash the same and consequently direct the respondents to



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appoint me as Cook Assistant in Government Primary School, Yamanoor East, Pennagaram Taluk, Dharmapuri District.

For Petitioner : Mr.S.P.Yuaraj

For R1 to R4 : Mr.V.Arun
Additional Advocate General
Assisted by
Mrs.C.Meena Arumugam
Additional Government Pleader

For R5 : Mr.C.Prabakaran

ORDER

The appointment of the 5th respondent as Cook Assistant in proceedings dated 14.11.2017 is sought to be quashed in the present writ petition.

2. The petitioner and the 5th respondent participated in the process of selection and furnished their respective documents before the Selection Committee. The 5th respondent was selected and appointed. Thus, the petitioner has chosen to file the present writ petition only on the ground that the 5th respondent is ineligible, as she is residing beyond the radius of 3kms and accordingly, the appointment is in violation of the Government guidelines.



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3. In order to ascertain the correctness of the selection made by the respondents, this Court passed an interim direction to conduct measurement. Accordingly, the Commissioner, Panchayat Union, Pennakaram Taluk Dharmapuri District after issuing notice to the both the candidates conducted measurement. The petitioner is residing 32meters from the Centre. However, the 5th respondent Smt.L.Ramani is residing at a distance of 15kms from the Centre. Thus, the appointment of the 5th respondent as Cook Assistant is in violation of the Government guidelines issued for selection and appointment.

4. Accordingly, the order impugned issued by the 2nd respondent in proceedings in Na.ka.No.1521/2016/X dated 14.11.2017 is quashed. Consequently, the respondents 1 to 4 are directed to appoint the petitioner as Cook Assistant in the Centre within a period of 4 weeks from the date of receipt of a copy of this order.



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5. With the above direction, the Writ Petition stands allowed. No costs.

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Jeni

Index : Yes

Speaking order

To

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S.M.SUBRAMANIAM, J.

Jeni

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