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W.P.No.16462 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16462 of 2018
and W.M.P.Nos.19672 & 19673 of 2018

C.Tamil Selvi

...Petitioner

Vs.

- 1.The Principal Secretary to Government,
Social Welfare and Nutritious Meal Scheme Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Directorate of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.
- 3.The District Collector,
Coimbatore District,
Coimbatore.
- 4.The Personal Assistant to Colector (Noon Meal Scheme),
Collectorate,
Coimbatore.
- 5.The Commissioner,
Kinathukadavu Panchayat Union,
Kinathukadavu – 642 109,
Coimbatore District.

Respondents



W.P.No.16462 of 2018

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to appoint the petitioner as Noon Meal Organiser in the Government Aided Primary School at Palanigoundanpudur in Kinathukadavu Taluk, Coimbatore District by considering the representation of the petitioner dated 06.05.2018.

For Petitioner : Mr.K.M.Pandian
for M/s.P.P.Shanmugasundaram

For Respondents : Mr.V.Arun
Additional Advocate General

assisted by
Mr.R.Neethi Perumal
Additional Government Pleader
for R1 to R4

Mr.T.Arunkumar for R5

ORDER

The relief sought for in the present writ petition is to direct the respondents to appoint the petitioner as Noon Meal Organiser in the Government Aided Primary School by considering the representation of the petitioner dated 06.05.2018.



W.P.No.16462 of 2018

WEB COPY

2.The learned counsel for the petitioner made a submission that the petitioner is a inter caste married person and therefore, she is entitled for priority in the matter of public appointment. The petitioner submitted a representation to the authorities concerned and the said representation was not considered and thus, the writ petitioner is constrained to move the present writ petition to dispose of her representation.

3.Even to grant the relief of directing the respondents to consider the representation, the petitioner has to establish a legal right. In the absence of establishing a right, no such direction can be issued. Mere submitting a representation would not confer any right to seek appointment by filing a writ petition before the High Court. Issuing a direction to consider the representation in a mechanical manner would do no service to the cause of justice and the litigant is back again to the High Court by way of another litigation and therefore, for issuing a direction to consider the representation, the petitioner has to establish a right or any such right is infringed on account of the action or inaction of the public authorities. In the present case, mere submission of application would not



W.P.No.16462 of 2018

be a ground to grant the relief of appointment and thus, the petitioner has not establish even a semblance of legal right for the purpose of granting the relief.

4. Accordingly, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

01.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes
ssr

To

1. The Principal Secretary to Government,
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2. The Director,
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3. The District Collector,
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W.P.No.16462 of 2018

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S.M.SUBRAMANIAM, J.

SSR

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