



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 21.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.17416 OF 2018

R.Kanniya

...Petitioner

Vs

1. The Collector,
Perambalur, Perambalur District.

2. Bakkialakshmi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the first respondent in Na.Ka.No.638 of 2016/Sa.Vu.Thi-1, dated 01.07.2016 and quash the same and direct the first respondent to appoint the petitioner as Noon Meal Organizer at the TELC Aided Middle School, Ayikudi in the place of the second respondent.

For Petitioner : Mr.G.Ilamurugu

For R1 : Mr.Veda Bhagat Singh,
Special Government Pleader

For R2 : No Appearance

ORDER

The petitioner herein had participated in the selection process for the post of Noon Meal Organizer for various vacancies in Perambalur District. The petitioner herein is a widow with two children, who has an annual income of Rs.18,000/- from half an acre of Punjai land with a tiled house. Her priority score was placed at 30. However, the respondent had felt that one S.Bakkialakshmi, who is the second respondent herein belonging to SC Community, as against the petitioner's MBC Community, was better qualified to be appointed to the post and accordingly, appointment orders were issued.

2. In the instant case, the action of the respondent in granting appointment to the second respondent herein on the



basis that she stands on a better footing on consideration of her community and that she belongs to the same village in which she sought for appointment, cannot be strictly found fault with. However, the fact remains that the petitioner had secured full marks of 30 on priority basis and the only disqualification seems to be that she has an annual income of Rs.18,000/- from a Punjai land and that she belongs to MBC Community. However, the fact that she, being a widow with two girl children, is not disputed.

3. At this juncture, the learned counsel for the petitioner submitted that he does not intend to disturb the appointment made in favour of the second respondent and that the first respondent may consider the petitioner's candidature for appointment in 30 Noon Meal Centres, which are vacant as on date. In proof of such vacancies, he relied upon a letter dated 14.12.2021 obtained by the petitioner under the provisions of the Right to Information Act.

4. This Court is of the view that since the priority score to the petitioner, who is a widow with two children and has a meager income of Rs.18,000/- per annum, has been granted with full marks of 30, the first respondent herein can consider her candidature for appointment in any one of these 30 vacancies as aforesaid.

5. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's request for appointment to the post of Non Meal Organizer in any one of the 30 vacancies, as provided to her in the information furnished by the Deputy Block Development Officer, Veppur in Na.Ka.No.A4/935/2019, dated 14.12.2021. The petitioner is also called upon to give a fresh request to the first respondent in this regard by enclosing a copy of the information furnished by her on 14.12.2021 and on receipt of the same, the first respondent shall consider it favourably and pass appropriate orders, as expeditiously as possible, in any event, within a period of eight (8) weeks from the date of receipt of such a request.

6. The Writ Petition stands ordered, accordingly. No costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

hvk



To

The Collector,
Perambalur,
Perambalur District.

Copy To

The Deputy Block Development Officer,
Veppur.

+1cc to Mr.G.Ilamurugu, Advocate, S.R.No.3655

W.P.No.17416 of 2018

SSI (CO)
RLP (31/01/2022)