



WEB COPY



WP No.32165 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-10-2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.32165 of 2017

And

WMP Nos.35335 and 35336 of 2017

R.Kavitha

..

Petitioner

vs.

1.The Director of Social Welfare,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Dharmapuri District,
Dharmapuri – 636 705.

3.Sathya

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the second respondent in proceedings Na.Ka.No.1521/2016/X1 dated Nil.11.2017, quash the same



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and issue consequential directions to first and second respondents herein to appoint the petitioner herein as 'Noon Meal Organiser' in the Panchayat Union Elementary School, Kejjalnaickenahalli Centre, Karimangalam Panchayat Union, Dharmapuri District.

For Petitioner : Ms.C.Sindhuja for
Mr.R.Thamaraiselvan

For Respondents-1 and 2 : Mr.V.Arun,
Additional Advocate General
Assisted by Ms.C.Sangamithirai,
Special Government Pleader.

For Respondent-3 : No Appearance

ORDER

The appointment order issued to the third respondent by the second respondent appointing her as 'Noon Meal Organiser' in proceedings dated Nil.11.2017, is under challenge in the present writ petition.

2. Both the petitioner and the third respondent participated in the process of selection for appointment to the post of 'Noon Meal Organiser'.

3. The petitioner filed the present writ petition mainly on the



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ground that the third respondent, who is residing beyond the radius of three kilometers was appointed in violation of the Government guidelines issued in G.O.Ms.No.163, Department of Social Welfare and Nutritious Meal Scheme (NMS 2), dated 18.08.2010.

4. In order to verify the correctness of the allegation, this Court passed an interim direction, directing the Authorities Competent to conduct measurement by affording an opportunity to the candidates, who participated in the process of selection.

5. In compliance with the interim order, the Authorities Competent conducted measurement after issuing notice to the candidates.

6. As per the certificate issued by the Assistant Engineer, Panchayat Union, Karimangalam, the petitioner is residing at the distance of 4.80 kilometers from the Centre. However, the third respondent is residing at the distance of 3.00 kilometers from the Centre.



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7. Thus the third respondent is found eligible and the selection was made in consonance with the Government Order issued in G.O.Ms.No.163, Department of Social Welfare and Nutritious Meal Scheme (NMS 2), dated 18.08.2010. Therefore, there is no infirmity and the petitioner could not establish any acceptable ground for the purpose of interfering with the process of selection.

8. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

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Index : Yes/No.
Internet : Yes/No.
Speaking Order/Non-Speaking Order.
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To

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S.M.SUBRAMANIAM, J.

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