



W.P.No.33040 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33040 of 2017
and
W.M.P.Nos.36416 & 36417 of 2017

Jeevitha

... Petitioner

Vs.

1.The Collector,
Dharmapuri District, Dharmapuri.

2.The Block Development Officer,
(Block Panchayat)
Palacode, Dharmapuri District.

3.Tmt.Sathiya

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in Na.Ka.No.1521/2016/X-1 dated 13.11.2017 and quash the same and direct the first respondent to appoint the petitioner as Noon Meal Organiser, Panchayat Union Primary School, Karagathahalli in the place of the third respondent with effect from the date of the impugned order, namely, 13.11.2017 and grant her all consequential benefits.



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For Petitioner	: Mr.P.Mohan Raj
For R1	: Mr.V.Arun Additional Advocate General Assisted by Mr.R.Neethi Perumal Government Advocate
For R2	: Mr.T.Arun Kumar
For R3	: Mr.A.P.Balaji

ORDER

The appointment of the 3rd respondent as Noon Meal Organiser at Panchayat Union Primary School at Panchayat Union Primary School, Karagathahalli is under challenge in the present writ petition.

2. The petitioner participated in the process of selection, pursuant to the recruitment notification issued for the post of Noon Meal Organiser. The petitioner submitted all the relevant documents and performed well. The contention of the petitioner is that the 3rd respondent was appointed in violation of the guidelines issued by the Government in G.O.Ms.No.163 dated 18.08.2010.



3. The learned counsel for the petitioner made a submission that the 3rd respondent is not residing within the permissible limit as per the Government orders and that apart, the marks awarded by the Selection Committee to the 3rd respondent establishes that there was favouritism in the matter of selection.

4. In this regard, the learned Additional Advocate General appearing on behalf of the 1st respondent submitted the original files pertaining to the award of marks by the Selection Committee. The file reveals that the petitioner Smt.Jeevitha scored 40 marks and the 3rd respondent / Smt.Sathiya scored 42 marks. Marks were awarded under the different heads.

5. This Court do not find any infirmity in respect of the marks awarded to the candidates, who participated in the process of selection. That apart, the Assistant Engineer, Panchayat Union, Palakode issued a certificate pursuant to the interim direction issued by this Court regarding the distance between the centre and the residence of the respondent. As per the said certificate, the petitioner is residing at the distance of 194 meters from the Centre and the 3rd respondent is residing 1842 meters from the Centre. Therefore, both the petitioner and the 3rd respondent are residing within the



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radius of 3 kms and thus, there is no infirmity in respect of considering the candidates for selection and appointment to the post of Noon Meal organiser.

6. Since the petitioner has not established any acceptable ground for the purpose of considering the relief, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

26.10.2022

Jeni

Index : Yes

Speaking order

To

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Palacode, Dharmapuri District.



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S.M.SUBRAMANIAM, J.

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