



W.A(MD)No.1635 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MRS.JUSTICE J. NISHA BANU

and

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.A(MD)No.1635 of 2011

Kamala

.. Appellant

Vs.

1.The District Collector
Ramanathapuram District.

2.The Commissioner
Mandapam Union Office,
Uchchipuli,
Ramanathapuram District.

3.Devi

...Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P(MD)No.13718 of 2009, dated 11.10.2011 and allow this Writ Appeal.



WA(MD)No.1635 of 2011

For Appellant : Mr.S.A.Ajmal Khan
For Respondents : Mr.D.Sasikumar, - for R1 & R2
Additional Government Pleader
No Appearance - for R3

JUDGMENT

J. NISHA BANU, J.

AND

N. ANAND VENKATESH, J.

This Writ Appeal has been filed against the order passed by the learned Single Judge made in W.P.(MD) No.13718 of 2009, dated 11.10.2011.

2. The writ petitioner / appellant challenged the appointment of the third respondent as a Noon Meal Organizer in the Noon Meal Centre at Pudhukudiyeruppu Panchayat Union Primary School, Ramanathapuram Taluk.

3. According to the petitioner, the third respondent did not possess the necessary qualification and even though she applied under the widow category, at the time of application, she was married to one



W.A(MD)No.1635 of 2011

Salaman and they were also having children out of the said wedlock.

Therefore, according to the petitioner/ appellant, the third respondent had concealed about this vital information regarding her marital status and had secured an employment under the widow category.

4. The learned Single Judge after considering the facts of the case, came to the conclusion that the selection was not based on the marital status of the third respondent and both the petitioner as well as the third respondent are coming from the same village namely, Panaikulam Village, and the residence of the third respondent was only 3 kms. from the Noon Meal Centre. Hence, it was concluded that the third respondent did not suffer from any disqualification, as alleged by the petitioner. Accordingly the writ petition was dismissed.

5. Heard, Mr.S.A.Ajmal Khan, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader appearing for the respondents 1 and 2.

6. In the considered view of this Court, there is no requirement to go into the merits of this case, since the petitioner /



W.A(MD)No.1635 of 2011

appellant is now aged about 40 years and even if any interference is made to the appointment of the third respondent, the petitioner will not be able to get the post due to age bar. Hence, we are not inclined to interfere with the order passed by the learned Single Judge and disturb the present position.

7. In view of the above, this writ appeal stands dismissed.

No costs.

[J.N.B, J.] & [N.A.V., J.]
28.09.2022

Index: Yes/No
Internet: Yes/No
rm



WA(MD)No.1635 of 2011

To

WEB COPY

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W.A(MD)No.1635 of 2011

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JUDGMENT MADE IN
W.A(MD)No.1635 of 2011

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