



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2022**

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A(MD)No.187 of 2012

and

M.P (MD)No.1 of 2012

M.Balasaraswathy ... Appellant / Petitioner
-Vs-

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Block Development Officer,
Mandapam Panchayat Union,
Uchipuli, Ramanathapuram District.

3.S.Muthukannu ... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying this Court to set aside the order dated 14.09.2010 made in W.P(MD)No.12545 of 2009.

Prayer in WP(MD). 12545 OF 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ certiorarified mandamus or any other order or direction in the nature of writ calling for the records pertaining to the impugned order of the 1st respondent passed in Na.Ka.No.W1/43890/2008, dated 05.11.2009 and to quash the same and consequently directing the respondents 1 and 2 to appoint the petitioner in the post of Noon Meal Organiser IN the Kuppanivalasai Panchayat Union Elementary School in Ramanathapuram district.

For Appellant : Mr.C.Jegannathan
For R1 : Mr.D.Gandhi Raj,
Special Government Pleader.
For R2 : No Appearance
For R3 : No Appearance



JUDGMENT

[Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**]

The challenge made in this appeal is the order of the learned Single Judge, dismissing the Writ Petition filed by the appellant in W.P(MD)No.12545 of 2009, dated 14.09.2010.

2.In the said Writ Petition, the appellant had challenged the appointment of the third respondent as the Noon-Meal Organizer. The main ground, on which the appellant challenged the appointment of the third respondent, is that she being widow is entitled to preference over the others. It was also claimed that the third respondent is not a resident of the same village.

3.The learned Single Judge had dealt with the said ground and held that there is no exclusive reservation made in favour of the residents of the village or widows and they are only entitled to preference. Therefore, the appointment of the third respondent cannot be questioned on that ground. In doing so, the learned Single Judge has also considered an earlier pronouncements of this Court on both grounds.

4.Once the statment of law is accepted, we do not think that we can fault the learned Single Judge having dismissed the Writ Petition. Hence, the Writ Appeal fails and is accordingly, dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Myr

To

1.The District Collector,
Ramanathapuram District, Ramanathapuram.

2.The Block Development Officer,
Mandapam Panchayat Union,
Uchipuli, Ramanathapuram District.

JUDGMENT MADE IN
W.A(MD)No.187 of 2012
16.02.2022

NSN (CO)

GC(28.02.2022) 2P 3C

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