



W.P.(MD)No.502 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 26.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.502 of 2022
and
W.M.P(MD).No.388 of 2022

S.Manikandan

Vs

... Petitioner

1.The Director/Chairman of Selection Committee,
Backward Classes and De-notified Class
Welfare Department,
Ezhilagam, Chepauk, Chennai 600 005.

2.The District Collector,
Collectorate Office,
Thoothukudi District, Thoothukudi.

3.The District Backward Classes & Minority
Welfare Officer,
Collector Office Campus,
Thoothukudi, Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.B-4/5882/2018 dated 27.11.2021 by cancelling the selection order dated 24.02.2021 on the file of the first respondent and consequently directing the respondents to consider the petitioner's appointment to the post of Cook(Men) in the Backward Classes Welfare Hostels morefully in any Hostels in Thoothukudi District within a time stipulated by this Court.



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For Petitioner : Mr.P.Balamurugan
For Respondents : Mr.R.Sureshkumar
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The second respondent herein issued notification for filling up the post of Cook (Women and Men) calling for application from eligible candidates. The last date for receiving application was 15.09.2020. The writ petitioner applied for the post of Cook (Men) under the Reserved Category/Priority Category. He was called for interview, which was held on 08.01.2021. On the said date, the petitioner appeared before the second respondent and produced his credentials. Eventhough the petitioner fulfilled all the relevant creteria and was eligible to be appointed, till date, appointment order was not issued. Instead, what was served on him was the memorandam dated 27.11.2022 informing him that his selection has been cancelled. Challenging the same, the present writ petition came to be filed.

3.The learned counsel appearing for the petitioner reiterated all the contentions setout in the affidavit filed in support of the writ petition and



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called upon this Court to quash the impugned order and allow this writ petition as prayed for.

4.The learned Additional Government Pleader appearing for the respondents submitted that the impugned order does not call for interference.

5.I carefully considered the rival contentions. There cannot be any dispute that the issue raised in the writ petition is squarely covered by order dated 01.07.2022 made in W.P(MD).No.21246 of 2021 etc., batch, wherein the learned Judge of this Court has held as follows:

“

24.For the foregoing reasonings and discussions, the order of cancellation passed by the Chairman, State Level Selection Committee, in No.B4/6988/2018, dated 27.11.2021 is hereby set aside. The respondents are directed to publish the entire results forthwith and proceed accordingly. At the same time, this Court is not losing sight of the fact that the welfare of the students is paramount and there cannot be any compromise in the quality of food provided to the Students of the Hostels. Therefore, the respondents are at liberty to assess the individual competence / capacity of the selected Cooks, as directed by the Chairman in the proceedings dated 25.11.2021 and take a just decision afresh, individually and independently, after providing an opportunity to the selected



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candidates. It is open to the respondents to explore the possibility of providing adequate training to the already selected candidates.

..... ”

6. Respectively adopting the very same approach, I quash the order impugned in this writ petition and this Writ Petition is also disposed of on the same lines. No costs. Consequently, connected Miscellaneous Petition is closed.

26.10.2022

Index : Yes/No

Internet : Yes/No

Rmk

To

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G.R.SWAMINATHAN, J.,

Rmk

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