



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P. (MD) .No.12923 of 2017

and

W.M.P. (MD) .Nos.9998 and 9999 of 2017

Lakshmi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Panchayat Union Commissioner,
Natham,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Notification issued by the first respondent in his proceedings Na.Ka.No.320/2016/ SaVuThi-1 dated 29.06.2017 with regard to the vacancy of Noon Meal Organizer in Panchayat Union Primary School, L.Malaiyur alone and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and without jurisdiction and consequently directing the respondents to appoint the petitioner as Noon Meal Organizer in Panchayat Union Primary School, L.Malaiyur as per the Notification dated 21.01.2016 in Na.Ka.No.21/2016/SaVuThi-1.

For Petitioner : Mr.M.Ramu
For R-1 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.

For R-2 : No Appearance.

ORDER

The petitioner has filed this Writ Petition challenging the impugned notification dated 29.06.2017 with a consequential prayer to appoint the petitioner as Noon Meal Organizer in the Panchayat Union Primary School.



2. Heard Mr.M.Ramu, learned counsel for the petitioner and Mrs.D.Farjana Ghoushia, learned Special Government Pleader for the first respondent and there is no appearance on behalf of the second respondent. According to the petitioner, as per the roster, it should be allotted to BC and MBC

3. It is submitted by the learned counsel for the petitioner that the petitioner was 29 years old at the time of filing of the Writ Petition. The respondents ought to consider by relaxing the age of the petitioner. The request made by the learned counsel for the petitioner cannot be considered because all the recruitment process should be according to the rules and regulations. There cannot be any deviation of any rules.

4. When the case was taken up, the Special Government Pleader circulated a letter dated 08.07.2020 where it has been stated that the Notification dated 29.06.2017 was cancelled.

5. Therefore, the respondents are directed to conduct a fresh selection process by allotting the said post to the appropriate roster as per rules. It is strictly advised that the respondents shall follow the roster system.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Panchayat Union Commissioner,
Natham,
Dindigul District.

+1 CC to M/s.SPL GP (SR-5304[F] dated 10/02/2022)

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ck(CO)

TR(01.03.2022) 3P 4C