



W.P.No.16099 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM:

THE HON'BLE MR.JUSTICE **P.B.BALAJI**

W.P.No.16099 of 2018 and
W.M.P.Nos.19131 & 19132 of 2018

P.Neela

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by the Secretary to
Social Welfare Department,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Commissioner,
Social Welfare Department,
Panagal Building, II Floor,
Saidapet, Chennai 600 015.

3.The District Collector,
O/o. The District Collector,
Cuddalore District 607 001.

4.The Block Development Officer,
Panchayat Union Office,
Mangalore,
Cuddalore District 606 108.

5.K.Devi

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of order passed by 3rd respondent in favour of 5th respondent vide proceeding Na.Ka.P.D.1/298/2016 dated 11.06.2018, quash the same and consequently direct the 3rd respondent herein to appoint the petitioner herein to the post of organizer.

For Petitioner : Mr.M.Kavikannan
For Respondents : Mr.V.Arun, Addl. Advocate General
Assisted by Mr.R.Kumaravel
Addl. Government Pleader for R1 to R3
Mr.T.Chezhian,
Addl. Government Pleader for R4
Mr.C.Prakasam for R5

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in proceeding Na.Ka.P.D.1/298/2016 dated 11.06.2018 and quash the same and consequently direct the 3rd respondent to appoint the petitioner to the post of organizer.

2. The petitioner challenges the order of appointment of the 5th respondent as Noon Meal Organiser for various grounds set out in the affidavit filed in support of this Writ Petition.



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WEB COPY 3. Heard the learned counsel for the petitioner and the learned Additional Advocate General, assisted by the learned Additional Government Pleader.

4. On a perusal of the counter affidavit filed by the fourth respondent, it is seen that 28 candidates who were eligible, were shortlisted for selection and the persons who got first 5 ranks were called for interview. As per the merit list, though the petitioner was shortlisted, the fifth respondent who had obtained higher marks in the interview conducted was appointed as a Noon-Meal Organiser. The fifth respondent was found eligible to be appointed to the said post in all respects. Therefore, the appointment of the fifth respondent cannot be called in question, that too, in a writ petition invoking Article 226 of the Constitution of India.

5. The case of the petitioner is that she was the senior most of all the applicants and she is a person below the poverty line having no other sources of income.



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WEB COPY 6. Excepting the above grievances, the petitioner has not put forth any other grounds to challenge the appointment of the fifth respondent. It is seen from the typedset of papers filed by the 4th respondent that the petitioner was never placed at Serial No.1 and she was ranked below the fifth respondent and in fact, there were other candidates who obtained more marks than the petitioner. Thus, from any angle, the petitioner is not entitled to challenge the appointment of the fifth respondent and seek appointment in her place.

7. Therefore, this Writ Petition is dismissed as being without any merits. Consequently, connected Miscellaneous Petitions are also closed. No costs.

28.06.2023

Index: Yes/No
Speaking / Non Speaking Order
gsk



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P.B.BALAJI, J.

gsk

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