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W.P.No.20924 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HON'BLE Mrs.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.No.20924 of 2017  
&  
W.M.P.No.21809 of 2017

B.Reka

... Petitioner

Vs.

1.The District Collector  
Villupuram District

2.The Block Development Officer  
Mailam Block Development Office  
Villupuram District

3.The Village Administrative Officer  
Kanniam Village, Tindivanam Taluk  
Villupuram

4.Valli Kalliappan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1<sup>st</sup> respondent to appoint the petitioner at Konamangalam Village as the Noon Meal Organizer by disposing of petitioner's representation dated 07.07.2017.



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For Petitioner : Mr.R.Karunakaran

For Respondents : Mr.V.Arun- AAG  
assisted by  
Mr.K.H.Ravikumar, G.A for R1 to 3

Mr.V.Jothishankar  
for  
Mr.P.Rajendran for R4

### **ORDER**

This Writ petition has been filed for issuance of Writ of Mandamus directing the 1<sup>st</sup> respondent to appoint the petitioner at Konamangalam Village as the Noon Meal Organizer by disposing of petitioner's representation dated 07.07.2017.

2. The case of the petitioner is that the petitioner completed 10<sup>th</sup> standard in the year 2003 and belong to Most Backward Class. On 26.07.2016, the 2<sup>nd</sup> respondent called the petitioner for interview for the post of Noon Meal Organizer on 31.01.2017 and for production of original certificates of school education for age, residential, community and Nativity certificate and Income certificate. As per G.O.Ms.No.163 Social Welfare and Nutritious Scheme Department dated 18.08.2010 and stating that the 10<sup>th</sup> class passed for the general category and age not beyond 40 years and should be resided within 3 kilometers from the working place and appointees residence.

3. Learned counsel for the petitioner would further submit that 4<sup>th</sup> respondent is



residing at Veliayanur Village and P.O. Tindivanam Taluk, Villupuram District which is away from 12 kilometers. Since the 4<sup>th</sup> respondent is residing 10 km away from Konamangalam Village as per G.O.Ms.No.163 dated 18.08.2010 she should not be considered for the same. Learned counsel for the petitioner submits that petitioner has given a representation to the 1<sup>st</sup> respondent to appoint the petitioner as Noon Meals Organizer. After her representation, the 4<sup>th</sup> respondent was appointed in some other school by the 2<sup>nd</sup> respondent and now trying to appoint ineligible person for the above said post at Konamangalam Aided Elementary School. Without considering the representation, the respondents 1 to 3 have appointed the 4<sup>th</sup> respondent for the post of Organizer on 04.07.2017 and further submits that the respondents are trying to appoint some other persons at Konamangalam Aided Elementary School, which is illegal, unjust and against the principles of natural justice and prayed for directing the 1<sup>st</sup> respondent to appoint the petitioner at Konamangalam Village as the Noon Meal Organizer.

4. Mr.V.Arun, learned AAG assisted by Mr.K.H.Ravikumar appearing for the respondents 1 to 3 would submit that applications were called for filling up the vacancies of organizers and helpers in the school Noon Meal centers of Villupuram District in Roc.No.533/216/PE4 dated 15.07.2016, communal rotation system was duly followed as per guidelines. Interview was conducted for organizers on 31.01.2017 and 01.02.2017 at Block Development Office, Mailam, Konamangalam



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Noon Meal Centre was allotted and reserved for 'MBC' category as per communal rotation system fixed for that centre. The petitioner was one among the applied candidates. The petitioner and the 4<sup>th</sup> respondent possessed the requisite qualification for the post of noon meal organizer. The 1<sup>st</sup> respondent is the appointing authority. The petitioner has alleged that the instructions contained in G.O.Ms.No.163, Social Welfare and Nutritious Scheme Department dated 18.08.2010 regarding distance from the place of residence and to the noon meal centre were not followed by the respondents and that the 4<sup>th</sup> respondent was given appointment order in violation of guidelines and rules. The statement of the petitioner is false and imaginary. The 4<sup>th</sup> respondent is residing at Reddiyar street, Kanniyam Village which is below 3 kilometer from the Konamangalam Aided Primary School. The Village Administrative Officer concerned has also certified on the distance factor. The respondents 1 and 2 followed due procedure in the appointment of 4<sup>th</sup> respondent for the post. The 4<sup>th</sup> respondent joined duty on 03.07.2017. The petitioner has created trouble and hence she was deputed to a nearby Metunatham Panchayat Union Primary school as a temporary measure. The post of the Noon Meal Organizer at Konamangalam Primary Aided has been filled by giving appointment to 4<sup>th</sup> respondent and the appointment process as far as this school is over and the same cannot be reversed and submits that the representation of the petitioner dated 07.07.2017 could not be entertained. ]



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Mr.V.Arun, learned AAG assisted by Mr.K.H.Ravikumar, Government Advocate appearing for the respondents 1 to 3 and Mr.V.Jothishankar for Mr.P.Rajendran, learned counsel appearing for the 4<sup>th</sup> respondent.

6. Having heard the learned counsel appearing on either side, this Court is of the view that the representation of the petitioner dated 07.07.2017 has not been considered by the respondents. Therefore, this Court is inclined to dispose of the Writ Petition in view of the G.O.Ms.No.163 dated 18.08.2010, Social Welfare and Nutritious Meals Scheme Department, after affording opportunity of hearing to the petitioner and pass appropriate orders on her representation dated 07.07.2017 within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

23.11.2023

Index:Yes/No  
Internet:Yes/No  
Speaking / Nonspeaking order  
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To

1.The District Collector  
Villupuram District

2.The Block Development Officer  
Mailam Block Development Office  
Villupuram District

3.The Village Administrative Officer  
Kanniam Village, Tindivanam Taluk  
Villupuram

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