



W.P.No.24714 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.24714 of 2012

and

M.P.No.2 of 2012

Selvi.M.Manjula

...Petitioner

-Vs-

1.The District Collector,
Krishnagiri,
Krishnagiri District.

2.The Mandal Revenue Officer,
Thali, Krishnagiri District.

3.M.Vijaya

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order passed by the 1st respondent in respect of Na.Ka.No.12366/2012/X1, dated 25.08.2012 in the selection of the 3rd respondent issued by respondents 1 and 2 and to quash the same and consequently direct respondents 1 and 2 to appoint the petitioner as Noon Meal Organiser at Arulaththam Panchayat, Madakkal Post, Thenkanikottai Taluk, Krishnagiri District.



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For Petitioner : Mr.Krishna
for M/s.P.Subba Reddy

For R1 & R2 : Mr.N.Senthil Selvi
Government Advocate

For R3 : Mr.K.Selvaraj

ORDER

This writ petition is filed for issuance of a Writ of Certiorarified Mandamus to quash the impugned order dated 25.08.2012, passed by the 2nd respondent in Na.Ka.No.12366/2012/X1, appointing the 3rd respondent as Noon Meal Organiser at Arulattham Panchayat, Madakkal Post, Thenkanikottai Taluk, Krishnagiri District, and consequently direct respondents 1 and 2 to appoint the petitioner as Noon Meal Organiser at Arulattham Panchayat, Madakkal Post, Thenkanikottai Taluk, Krishnagiri District.

2. The case of the petitioner is that she received an interview call letter for the post of Noon Meal Organiser under the Social Welfare and Nutrition Meals Scheme on 31.07.2012 from the 2nd respondent herein, and the petitioner attended the personal interview on 07.08.2012 with the required certificates, which were called for according to G.O.(Ms)No.72 of



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the Social Welfare and Nutrition Meals Scheme. The petitioner is a resident of Arulnattham, Madakkal post, whereas the 3rd respondent is a resident of Pandurangan Thotti Village, Thakkatti post, which is more than 6 km from Arulnattham, and the same is coming under the different panchayat of Thakkatti post.

3. Learned counsel for the petitioner would submit that from the date of interview on 07.08.2012 to 26.08.2012, no person was selected for the post. After that, she came to know that the 3rd respondent was selected for the post of Noon Meal Organiser for which the petitioner also attended the interview. He further submitted that a vacancy is available for the post of Noon Meal Organiser in the same centre itself as on date. The petitioner belongs to the Schedule Caste community. Despite the fact that the petitioner belongs to the reserved community category and resides within 3 km, she was not selected.

4. Learned counsel for the petitioner would further submit that the 3rd respondent was appointed based on G.O.(Ms)No.72, Social Welfare and Nutrition Meals Scheme, dated 30.04.2012. Aggrieved by the appointment of the 3rd respondent, the petitioner has come forward with the present writ



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5. There is no counter affidavit filed on behalf of the respondents.

6. From the above facts and circumstances of this case, this Court directs the 1st respondent to consider the case of the petitioner since she has fulfilled all the eligibility conditions as stipulated in G.O.(Ms)No.72, Social Welfare and Nutrition Meals Scheme, dated 30.04.2012, and subsequent G.O.(Ms).No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010, when future vacancies arise. Further, if there is any vacancy in the present centre where the petitioner has applied, the same may be considered by the 1st respondent on merits in accordance with law.

7. In the result, the writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

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cda

Index : Yes / No

Speaking / Non Speaking Order



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J.SATHYA NARAYANA PRASAD, J.

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