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W.P.No.25424 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.25424 of 2012
and M.P.No.2 of 2012

S.Sathya

... Petitioner

Vs.

1.The Collector,
Villupuram District.

2.The Commissioner,
Thirukovilur Panchayat Union,
Villupuram District.

3.Tamil Selvi

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records connected with the proceedings issued in Na.Ka.A5/1427/2012 dated 06.09.2012 passed by the second respondent (in so far as third respondent is concerned) and quash the same and consequently direct the 1st and 2nd respondents to appoint the petitioner as Noon Meal Organizer.

For Petitioner : Mr.S.Ilamvaludhi



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For Respondent 1 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 2 : Mr.N.Srinivasan

For Respondent 3 : Mr.K.Kala

ORDER

This writ petition has been filed by the petitioner to call for the records connected with the proceedings issued in Na.Ka.A5/1427/2012 dated 06.09.2012 passed by the second respondent (in so far as third respondent is concerned) and quash the same and consequently direct the 1st and 2nd respondents to appoint the petitioner as Noon Meal Organizer.

2. Learned counsel for the petitioner submitted that the petitioner has applied for the post of Noon Meal Organiser and also attended the interview which was held on 09.07.2012 issued in a proceedings in Na.Ka.No.A5/1427/2012, dated 27.06.2012. However, the third respondent has been appointed for the said post.

3. Learned counsel for the petitioner would further submit that as per G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme



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Department, dated 18.08.2010, the candidates should reside within the distance of three kilo metres from the Noon Meal Centre. However, in the case on hand, the third respondent is a residence of Komalur Village, which is five kilometres away from the Noon Meals Centre. Hence, the third respondent has been appointed by violating the condition stipulated in G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010. Aggrieved over the appointment of the third respondent, the petitioner has come forward with the present writ petition.

4. Learned Additional Government Pleader appearing for the first respondent has submitted a proceedings in Na.Ka.No.A5/381/2013 dated Nil.03.2024 and submitted that the third respondent is residing within the three kilometres from the Noon Meal Centre, where the vacancy was notified.

5. Heard the learned counsel on either side and perused the materials available on record.

6. The only contention of the learned counsel for the petitioner is that



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the third respondent is not residing within three kilometres from the Noon Meal Centre and violated the conditions stipulated in G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department dated 18.08.2010, however, on perusing the aforesaid proceeding in Na.Ka.No.A5/381/2013 dated Nil.03.2024 produced by the learned Additional Government Pleader appearing for the first respondent, it is crystal clear and evident that the third respondent is residing within three kilometres from the Noon Meal Centre. Hence, she has not violated the conditions stipulated in the aforesaid Government Order and fully eligible/qualified for the post of Noon Meal Organizer.

7. As per the aforesaid Government order dated 18.08.2010, the petitioner should not exceed the age of 40 years for the post of Noon Meal Organizer. But, in the present case on hand, at the time of filing this writ petition, the age of the petitioner is 35 years and as on date she is 47 years old. Now she is not eligible for the post of Noon Meal Organizer and the relief sought by her cannot be entertained by this Court.



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8. Accordingly, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is also closed.

27.03.2024

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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation Yes/No

J.SATHYA NARAYANA PRASAD,J.

vm

To:

1.The Collector,
Villupuram District.

2.The Commissioner,
Thirukovilur Panchayat Union,
Villupuram District.

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