



W.P.No.25425 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.25425 of 2012
and M.P.No.2 of 2012

R.Sumathi ... Petitioner
Vs.

1.The Collector,
Villupuram District.

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

3.Tamil Selvi

4.The District Collector,
Kallakurichi.

(R4 Suo-motu impleaded as per order dated 27.03.2024 by JSNPJ in W.P.No.25425 of 2012)

... 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

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respondents to appoint the petitioner as Noon Meal Organizer.

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For Petitioner : Mr.S.Ilamvaludhi

For Respondent 1 & 4 : 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.

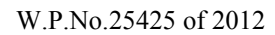


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3. Learned counsel for the petitioner would further submit that as per G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010, the candidates should reside within the distance of three kilo metres from the Noon Meal 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 counsel for the petitioner would further submit that vacancy is available at Noon Meal Centre in Komalur Village and requested that the petitioner may be permitted to give a representation to the first respondent/District Collector, Villupuram to accommodate the petitioner in the said centre.



8. In view of the above factual matrix of the case, this Court issues the



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following directions:

(i) The petitioner is directed to give a representation to the fourth respondent/District Collector, Kallakurichi, within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of the said representation, the fourth respondent/District Collector, Kallakurichi is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereof. The fourth respondent may consider the representation of the petitioner by relaxing the age, since she has crossed the upper age limit for the said post.

9. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petition is also closed.

27.03.2024

Note: Registry is directed to carry out the necessary amendment in the cause title.

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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.
- 3.The District Collector,
Kallakurichi.



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