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W.P.Nos. 31696 & 32029 of 2017 & 6180 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.Nos. 31696 & 32029 of 2017 & 6180 of 2018

and

W.M.P.Nos. 34842, 34843, 35187 & 35188 of 2017 and 7639 of 2018

W.P.No.31696 of 2017

S. Sangeetha

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Block Development Officer,
Pennagaram,
Dharmapuri District.

3.Jayajothi

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 13.11.2017 in Na.Ka.No.1521/2016/X1, dated 13.11.2017 issued by the first respondent, quash the same and consequently, direct the respondents 1 and 2 to consider the petitioner's name for the appointment to the post of Noon Meal Scheme Organizer in the Panchayat Union Elementary School, Narasimedu, Pennagaram Taluk, Dharmapuri.



For Petitioner : Mr. N. Manokaran

For Respondents : Mr. P. Muthukumar, Additional Advocate General
Assisted by Mr. T.M. Rajangam, for R1 & R2
Government Advocate
Mr. M. Mahamani,
for Mr. C. Palanisamy, for R3

W.P.No.32029 of 2017

M. Sagunthala

... Petitioner

Vs.

1.The Director of Social Welfare,
Chepauk, Chennai – 600 005.

2.The District Collector,
Dharmapuri District, Dharmapuri – 636 705.

3.Jayajothi

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the second respondent in Pro.Na.Ka.No.1521/2016/X1 dated Nil.11.2017, quash the same and issue consequential directions to first and second respondents herein to appoint the petitioner as Noon Meal Organizer in the Panchayat Union Elementary School, Narasimdu Centre, Pennagaram Panchayat Union, Dharmapuri District.

For Petitioner : Mr. R. Thamaraiselvan

For Respondents : Mr. P. Muthukumar, Additional Advocate General
Assisted by Mr. T.M. Rajangam, for R1 & R2
Government Advocate
Mr. M. Mahamani,
for Mr. C. Palanisamy, for R3



W.P.No.6180 of 2018

P. Sathyavanimuthu

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.Jayajothi

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining the order dated 13.11.2017 passed by the first respondent vide his proceeding in Na.Ka.No.1521/2016/1 and quash the same and consequently direct the first respondent to consider the petitioner for the appointment to the post of Noon Meal Organizer in Primary School, Narasimedu, Dharmapuri District.

For Petitioner : Mr. K.S. Karthik Raja

For Respondents : Mr. P. Muthukumar, Additional Advocate General
Assisted by Mr. T.M. Rajangam, for R1
Government Advocate
Mr. M. Mahamani,
for Mr. C. Palanisamy, for R2

COMMON ORDER

These Writ Petitions are filed by different petitioners against the order of appointment dated 13.11.2017 in Na.Ka.No.1521/2016/X1, dated 13.11.2017 issued by the first respondent appointing one Jayajothi, who is the unofficial respondent in these writ petitions.



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2. The facts of the case are that the official respondents invited applications to fill up the vacancy to the post of Noon Meal Scheme Organizer at Panchayat Union Elementary School, Narasimedu on 20.02.2017. All the petitioners submitted their applications and appeared for interview. All the petitioners are under the impression that they will be appointed. But to their shock and dismay, the first respondent has appointed the unofficial respondent as Noon Meal Organizer. Aggrieved by the same, the present writ petitions have been filed.

3. On behalf of the respondents counter affidavits have been filed.

4. Learned counsel appearing for the petitioners submits that they are more qualified and suitable for appointment as Noon Meal Organizer at Panchayat Union Elementary School, Narasimedu than the candidate who was appointed. The main contention of the petitioners is that the unofficial respondent who is appointed as Noon Meal Organizer is not the resident of Narasimedu and she is the resident of Sellamudi Colony, Manjarahalli, Pennagaram Taluk, which is 3 ½ kilometres away from the said School.



5. Learned Government Pleader appearing on behalf of the respondents submit that the vacancy of Noon Meal Organizer at Panchayat Union Elementary School, Narasimedu is meant for General (Non-priority) based on the Communal Rotation fixed as per G.O.Ms.No.142 P & AR Department dated 14.10.2009. There are 26 candidates belong to General Category have attended the interview and the unofficial respondent who earned highest marks was selected by following the norms laid down in G.O.Ms.No.163/Social Welfare and Nutritious Department dated 16.08.2010. The petitioner in W.P.No.31696 of 2017 secured 43 marks. The petitioner in W.P.No.32029 of 2017 secured 38 marks. The petitioner in W.P.No.6180 of 2018 secured 42 marks. But the unofficial respondent who was selected secured 45 marks.

6. Learned Government Pleader further contends that there is no truth in the contention of the petitioners that the selected candidate is residing 3 ½ kms away from the Noon Meal Centre. The selected candidate is residing within 1 km radius from the Noon Meal Centre.

7. Having heard the contentions of the respective counsel and on perusal of the materials available on record, it appears that the official respondents after considering the eligibility, suitability and merits of the candidates who made applications for the post of Noon Meal Organizer, it is decided to appoint the unofficial respondent



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basing on her performance and qualification.

Admittedly, the selected candidate

scored more marks than the petitioners and she is residing at the distance of 1 km from the Noon Meal Centre.

8. Under these circumstances, there is no substance in the contention of the petitioners that they are more suitable and eligible candidates than the selected candidates. This Court is of the considered opinion that the official respondents have rightly appointed the unofficial respondent as Noon Meal Organizer and as such, no interference is required against the order of appointment.

9. For the reasons stated above, this Court holds that the petitioners failed to make out any case warranting interference of this Court and accordingly, these Writ Petitions are dismissed.

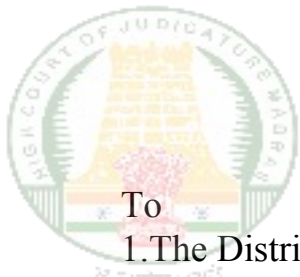
10. Consequently, connected miscellaneous petitions are closed. No costs.

11.03.2024

Index :Yes/No

Neutral Citation :Yes/No

AT



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Dharmapuri District,
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