



W.P.(MD)No.19963 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.19963 of 2017

and

W.M.P.(MD)No.16269 & 16270 of 2017

Latha

... Petitioner

/Vs./

- 1.The District Collector,
Collectorate Campus,
Pudukkottai.
- 2.The Commissioner,
Office of the Panchayat Union,
Arimalam,
Pudukkottai District.
- 3.The Block Development Officer (Va.Vu),
Office of the Panchayat Union,
Arimalam,
Pudukkottai District.
- 4.Banumathy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of certiorari Mandamus calling for the records pertaining



W.P.(MD)No.19963 of 2017

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to the Impugned Order passed by the 2nd respondent by his Proceedings in Na.Ka. V5/2453/2015, dated 16.10.2017 and quash the same as illegal and consequently direct the Respondent No.2 to appoint the Petitioner as Cook Assistant in Government Higher Secondary School Keezhanilaikottai, Pudukottai District.

For Petitioner : Mr.S.Karthick Subramanian

For Respondents : Mrs.D.Farjana Ghoushia (R1 to R3)

Special Government Pleader

Mr.RMS.Sethuraman (R4)

ORDER

This writ petition has been filed challenging the appointment of the fourth respondent as Cook Assistant under the impugned proceedings dated 16.10.2017.

2. The petitioner has challenged the fourth respondent's appointment on the ground that she has not satisfied the residential criteria as per the Government Order calling for appointments to the post of Cook Assistant.



W.P.(MD)No.19963 of 2017

WEB COPY

3. A counter affidavit has been filed by the third respondent denying the contentions of the petitioner. According to them, only in accordance with the Government Order, the fourth respondent has been duly appointed to the post of Cook Assistant. According to them, since the petitioner did not satisfy the minimum educational requirement of Class – V qualification, she was not eligible to be appointed to the post of Cook Assistant and only due to the said reason, she was not appointed.

4. Admittedly, the Government Order calling for selection to the post of Cook Assistant prescribes the minimum educational qualification of Standard – V for being appointed as Cook Assistant. The petitioner has not satisfied the said educational qualification, whereas the fourth respondent has satisfied the same, as she is possessing Standard – IX qualification.

5. In the counter affidavit filed by the third respondent, it has also been stated that the fourth respondent belongs to BC Community and has also obtained a certificate of Destitute Widow, since her husband died and she has fulfilled all requisite qualifications for being appointed to the



W.P.(MD)No.19963 of 2017

post of Cook Assistant. When there are no irregularities found in the appointment of the fourth respondent to the post of Cook Assistant and there is no evidence placed on record by the petitioner to show that there were irregularities committed by the official respondents in appointing the fourth respondent, the question of entertaining this writ petition does not arise.

6. In the result, there is no merit in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

19.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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Order made in
W.P.(MD)No.19963 of 2017

Dated:
19.10.2024