

W.P.(MD).No.20090 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.20090 of 2017

and

W.M.P.(MD)Nos.16378 and 16379 of 2017

S.Shanmuga Priya

... Petitioner

Vs.

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Personal Assistant to District Collector,
Noon Meal Scheme,
Office of the District Collector,
Pudukkottai,
Pudukkottai District.

3.The Commissioner,
Kundrandar Kovil Panchayat Union,
Pudukkottai District.

4.A.Durga Devi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorarified Mandamus***, to call for the records relating to the impugned order of the 1st respondent, dated 16.10.2017, appointing the 4th respondent herein as Noon Meal Organizer and to quash the same and consequently, to direct the respondents herein to consider the petitioner for appointment of Noon Meal Organizer.



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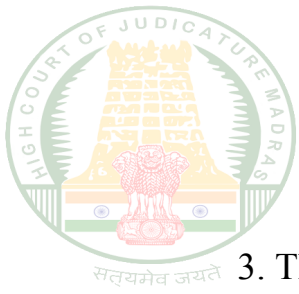
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For Petitioner	: Mr.K.N.Govardhanan
For R1 and R2	: Mr.M.Sarangan Additional Government Pleader
For R3	: No appearance
For R4	: Mr.M.Rajarajan

ORDER

This writ petition is filed for issuance of a writ of Certiorarified Mandamus, to quash the impugned order of the 1st respondent, dated 16.10.2017, appointing the 4th respondent herein as Noon Meal Organizer and to quash the same and consequently, to direct the respondents herein to consider the petitioner for appointment of Noon Meal Organizer.

2. Through the impugned order, the 4th respondent was appointed as Noon Meal Organizer. The only contention that was canvassed by the petitioner is regarding age. The writ petitioner is 34 years old and the 4th respondent is 26 years old. The 4th respondent is much younger than the petitioner, hence the petitioner is eligible than the 4th respondent, hence Noon Meal Organizer post ought to be granted to the writ petitioner. Further the 4th respondent is on the verge of attaining the maximum age, hence this is the last opportunity to get the government posts.



W.P.(MD).No.20090 of 2017

3. The respondents 1 to 3 have filed counter affidavit stating that the post is reserved for MBC (non priority), 25 applications were received, wherein 9 applications were rejected, call letters were sent to 16 candidates. Based on the interview, the 4th respondent was appointed as Noon Meal Organizer.

4. After hearing the rival submissions, this Court is of the considered opinion that there is no illegality in the appointment of the 4th respondent. Further it was brought to the knowledge of this Court that the writ petitioner is a B.A., graduate whereas the 4th respondent has +2 qualification. The qualification for the Noon Meal Organizer is only +2. Therefore, candidates with higher qualifications cannot participate in the recruitment process, since the post is meant for persons who are having less educational qualification. Based on G.O.Ms.No.163, Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010, Noon Meal Organizer and Anganvaadi posts are granted only to the persons who are deserving candidates and are in the lowest strata in the society. Therefore, the official respondents are having discretionary power to select such candidates who are in the lowest strata of the society.

5. Further, the only contention by the petitioner is that she is over aged and she will lose her opportunities to be appointed as Noon Meal Organizer, hence

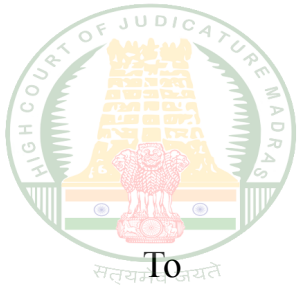


W.P.(MD).No.20090 of 2017

prayed for an opportunity. The said contention has no legal basis. Therefore, the present writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

04.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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W.P.(MD).No.20090 of 2017

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W.P.(MD).No.20090 of 2017

S.SRIMATHY, J.

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