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WP No. 38751 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

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THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**WP No. 38751 of 2015 and
M.P.No.1 of 2015**

T.Sathya Kala,
W/o.Chinnian,
No.1/49, Mottu Kollai Kottai,
Sundai Kuppam Post, Krishnagiri-District.

..Petitioner(s)

Vs

1. The Personal Assistant to
District Collector (Nutritious Meal),
Krishnagiri District.
2. The Block Development Officer,
Kaveripattinam Panchayat Union,
Krishnagiri District.
3. D.Padma, W/o.Theertha Giri,
K.R.P.Dam Post, Kaveripattinam,
Krishnagiri-District.

..Respondent(s)

Writ Petition filed under Article 226 of constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order in Na.Ka.No.10180/2015/x1 dated 16.09.2015 on the file of 1st Respondent and quash the same, consequentially direct the Respondents 1 and 2 to consider the petitioner for the appointment to the post of Assistant Cook at Noon Meal Centre attached to Government High School Natton Kottai in Kaveripattinam Panchayat Union Krishnagiri District, within reasonable time



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to be fixed by this Court

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For Petitioner(s): Mr.C.Mahendran

For Respondent(s): Mr.S.Yashwanth
Additional Government Pleader (for R1)

Mr.S.Suriya
Additional Government Pleader (for R2)

ORDER

The present Writ Petition has been filed challenging the appointment of the 3rd Respondent as Assistant Cook in Noon Meal Centre attached to Government High School Natton Kottai in Kaveripattinam Panchayat Union.

2. There is no representation on behalf of the third Respondent.

3. The case of the petitioner is that she has passed the VIII standard and is residing at Sundai Kuppan Revenue Village. She applied for the post of Assistant Cook in Noon Meal Centre attached to Government High School Natton Kottai in Kaveripattinam Panchayat Union and also attended the interview pursuant to the interview call letter (ந.க.எண்.1192/2015/அ6 தேதி 11.06.2015). However, she was not selected for the said post, on the other hand,



the 3rd Respondent, who possesses higher qualification was selected and appointed to the said post. Aggrieved against the same, the petitioner has filed the present Writ Petition.

4.Mr.Mahendran, learned counsel for the Petitioner submitted that the 3rd Respondent possesses higher qualification than that of the prescribed one. Therefore, her appointment to the post of the Assistant Cook under Noon Meal Scheme is contrary to G.O.No.163, Social Welfare and Nutritious Meal Programme Department dated 18.08.2010. The learned counsel further submitted that the petitioner's candidature may be considered by the Government for any future vacancies, if she satisfies the prescribed qualifications.

5.The learned Additional Government Pleader appearing for the first respondent submitted that the third respondent is a widow and her higher qualification does not not create any impediment to her appointment.

6.The learned Additional Government Pleader appearing for the second respondent submitted that as per the Government Order a widow or a woman abandoned by her husband, who has completed 20 years of age and is not more than 40 years old, is eligible for appointment as Assistant Cook under the Noon



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Meal Scheme.

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7. Heard the learned counsel appearing on behalf of either sides and perused the available records.

8. This Court can interfere with the appointment of the 3rd Respondent only if it is in violation of G.O.No.163, Social Welfare and Nutritious Meal Programme Department dated 18.08.2010. The over qualification of the 3rd Respondent demonstrates that the people who are having higher qualifications also willing to take up such employment. Therefore, over qualification alone cannot be treated as a valid ground to set aside the appointment. Insofar as the petitioner's request for consideration of her candidature in future vacancies is concerned, it is left open to the Government to take an appropriate decision in accordance with law.

9. In fine, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No



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N.SENTHILKUMAR J.

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