



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2013

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

W.P. (MD)No.16156 of 2013

M.Vasanth Devi

... Petitioner

Vs.

The District Collector,
Kanyakumari District,
Nagercoil Post - 629 001.

... Respondent

Prayer: This Writ Petition is preferred under Article 226 of the Constitution of India to issue a writ of Mandamus, to direct the respondent to give employment in any one of the post vacant in the respondent's office considering the representation of the petitioner dated 12.03.2013.

For Petitioner

: Mr.T.Murugan

For Respondent

: Mr.R.Anand Raj

Government Advocate

O R D E R

The petitioner was formerly working as Noon Meal Organizer for 12 years from 09.02.1995 onwards. While she was in service, she was selected in the selection process conducted by the District and Sessions Judge, Kanyakumari District at Nagercoil on 11.02.2007 and appointed as Junior Assistant. As per the order of the learned District Judge, Kanyakumari District at Nagercoil in R.O.C.No.116/2007, the petitioner joined the service as Junior Assistant in the II Additional Sub Court, Nagercoil on 12.12.2007. Subsequently, she was ousted from her service on 10.11.2008 and she was again reappointed on 12.11.2008. Finally she was ousted on 08.01.2009. Thereafter, she has not been put on employment by the learned District and Sessions Judge, Kanyakumari District at Nagercoil. In those circumstances, the petitioner has made representations to the District Collector to restore her as Noon Meal Organizer. Since the same has not been considered, the petitioner has come up before this Court with this Writ Petition.

2. This Writ Petition has come up today for admission.

3. I have heard the learned counsel appearing for the petitioner and also Mr.R.Anand Raj, the learned Government Advocate, who is taking notice on behalf of the respondent.

<https://hcservices.ecourts.gov.in/hcservices/> considered opinion, the petitioner has no legal right to demand rejoin as Noon Meal Organizer under the respondent. It is true that the petitioner has worked as Noon Meal Organizer for 12



years. Subsequently, there is a break in service as she has chosen to join in some other service. In such view of the matter, now she cannot come back and rejoin as Noon Meal Organizer. The petitioner is not entitled to the relief sought for.

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5. In the result, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Kanyakumari District,
Nagercoil Post - 629 201.

+1cc to Mr. T.Murugan, Advocate Sr.No.48943

+1cc to Spl.Government Pleader, Sr.No.49066

sj

AA/05.11.2013/2p-4c/

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