

The Personal Assistant vs R Jeeva

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Court : Chennai

Decided On : Jul-02-2025

Judge : Honourable Mr Justice R. Subramanian, Honourable Mr. Justice K. Surender

Appeal No. : /882/2025

Appellant : The Personal Assistant

Respondent : R Jeeva

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN AND THE HONOURABLE MR.JUSTICE K.SURENDER Writ Appeal No. 882 of 2025 and CMP No. 7430 of 2025 The Personal Assistant (Noon Meal) to the District Collector, Villupuram District, Villupuram. ... Appellant Vs.

1. R. Jeeva

2. The Block Development Officer, (Village Panchayat), Olakkur Panchayat Union, Olakkur, Tindivanam Taluk, Villupuram District.

3. M.Kalaivani ... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in WP No.32765 of 2015 dated 05.07.2024. For Appellant : Mr.P. Kumaresan Additional Advocate General Asst. By Mr.K.H.Ravi Kumar, For Respondents : Mr.C. Prakasam, for R1 Mr.P.Ananda Kumar, Government Advocate, for R2 Mr.S.C.Vishwanth For Mr.K.Chozhan, for R3

JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)
Challenge is to the order of the learned Single Judge made in WP No.32765 of 2015 dated 05.07.2024 allowing the said Writ Petition and directing the 1st respondent herein to be appointed as the Assistant Cook in the Noon Meal Centre in the Panchayat Union School at Ammanampakkam.

2. The first respondent had applied for the post of Assistant Cook in

the Noon Meal Centre in the year 2015, there were other applicants also. The first respondent was a widow residing in the same Village. By proceedings dated 23.09.2015, the appellant appointed the third respondent to the said post. This was put in issue in the Writ Petition. Before the Writ Court, the first respondent claimed that she being a widow and a resident of the same Village is entitled to priority and therefore, the appointment of the third respondent is illegal.

3. This claim was resisted by the State contending that the first

respondent is not residing in the same Village, but she was residing about 7 km away from the Noon Meal Centre. In the counter affidavit, it was stated that the third respondent appears physically smart than the

first respondent. The learned Single Judge found that the first respondent was residing in the same Village and the said fact was supported by sufficient documentary evidence. Being a widow, she would also be entitled to a priority. Therefore, the learned Single Judge quashed the appointment of the third respondent and directed the first respondent to be appointed. Aggrieved the State is on Appeal.

4. The third respondent has not chosen to challenge the order, though she was a party to the Writ Petition.

5. We have heard Mr.P.Kumaresan, learned Additional Advocate

General assisted by Mr.K.H.Ravi Kumar, learned Government Advocate appearing for the appellant, Mr.C.Prakasam, learned counsel appearing for the first respondent, Mr.Ananda Kumar, learned Government Advocate appearing for the second respondent and Mr.S.C.Vishwanth, learned counsel for Mr.K.Cholan, appearing for the third respondent.

6. Mr.P.Kumaresan, learned Additional Advocate General would

submit that there are two sets of documents showing that the first respondent is resident of two different villages viz. Ammanampakkam and Vadasiruvalur and hence her claim was rejected.

7. Mr.C.Prakasam, learned counsel appearing for the first respondent

would submit that she was always of resident of Ammanampakkam and she got married to one Ramesh from Vadasiruvalur Village and she shifted there, after the said Ramesh died on 15.05.2014, she had come back to her native Village viz. Ammanampakkam. The learned counsel would also point out that the Authorities viz. the Zonal Deputy Tahsildar, Thindivanam

had issued a Nativity Certificate and Income Certificate on 18.08.2015 which would amply prove that she has been residing at No.55, New Colony,

Ammanampakkam Village.

8. The learned counsel would also point out that in the Ration Card of

her father at Ammanampakkam her name is reflected as a resident. Very strong reliance is placed by the learned counsel on the letter dated 10.08.2015 issued by the Block Development Officer requiring her to appear for the interview for the Post of Assistant Cook in Ammanampakkam Village that was addressed to her at Ammanampakkam Village. No doubt there are certain other documents which shows that she is a resident of Vadasiruvalur. But the documents dated 18.08.2015 issued by the Zonal Deputy Tahsildar certifying her residence and the notice dated 10.08.2015 having been served on her at the address at Ammanampakkam, definitely demonstrate that she has been the resident of Ammanampakkam at the time when she applied for the post.

9. In view of the same, we do not think we could fault the learned

Single Judge for having allowed the Writ Petition and directed appointment of the first respondent as an Assistant Cook in the Noon Meal Centre at Ammanampakkam. We also find that the third respondent has been serving since 2015 and the Government will do well to accommodate her in some other place in the same District.

10. Hence, the Writ Appeal is dismissed. There shall be no order as

to costs. Consequently, the connected miscellaneous petitions are closed.
(R.SUBRAMANIAN, J.) (K.SURENDER, J.) 02.07.2025 jv Internet : Yes Index : No
Neutral Citation : No

Speaking order

To

1. The Block Development Officer, (Village Panchayat), Olakkur Panchayat Union, Olakkur, Tindivanam Taluk, Villupuram District.
2. The Personal Assistant (Noon Meal) to the District Collector, Villupuram District, Villupuram.

R.SUBRAMANIAN, J.

and

K.SURENDER, J.

jv Writ Appeal No. 882 of 2025 and CMP No. 7430 of 2025 02.07.2025

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