



W.P.(MD).No.25199 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25199 of 2023

and

W.M.P(MD) Nos.21399 and 21400 of 2023

M.Saravana Kumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Fort St. George, Chennai -9.
2. The District Collector,
Collectorate Campus,
Sivagangai,
Sivagangai District.
3. The Personal Assistant to District Collector,
(Nutrition),
Collectorate Campus,
Sivagangai,
Sivagangai District.
4. The Block Development Officer,
Tiruppuvanam Panchayat Union,
Sivagangai,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent in his proceedings in ந.க.ஆர்4/20264/2023, dated 01.08.2023 and quash the same as illegal and consequentially to direct the respondents to provide employment to the petitioner as Noon Meal Organizer or any entry level post on compassionate ground by taking into account of his indigent circumstances without reference to availability of female legal heir and in terms of order made in W.A.(MD) No.702 of 2007, dated 08.01.2008 and in the light of G.O. (Ms) No.125, Social Welfare & Nutritious Meal Programme Department, dated 18.08.2010 within the period that may be stipulated by this Court.

For Petitioner	: Mr.A.Nawazkhan for M/s.Ajmal Associates
For Respondents	: Mr.T.Villavankothai Additional Government Pleader For R1 to R3 : Mr.J.Ashok Additional Government Pleader For - R4

ORDER

The present writ petition has been filed by the son of the deceased Noon Meal Organizer seeking to quash the order passed by the authorities rejecting compassionate appointment.



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2. According to the learned counsel appearing for the writ petitioner, the petitioner's mother who was working as a Noon Meal Organizer had passed away while in service. When he requested for compassionate appointment as a Noon Meal Organizer, the same has been rejected on the ground that only female heir could be accommodated in the post of Noon Meal Organizer as per the Government Scheme. Hence, this writ petition has been filed.

3. The learned Additional Government Pleader appearing for the respondents pointed out that as per the Government Scheme, only female heir would be accommodated in the Noon Meal Organizer and therefore, he prayed for sustaining the impugned order.

4. As rightly contended by the learned Additional Government Pleader, only female heir could be accommodated in the Noon Meal Organizer and therefore, this Court does not find any illegality or infirmity in the impugned order. However, the name of the writ petitioner could be incorporated in the register maintained by the concerned District Collector for being considered



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for any other Scheme employment on the basis of seniority and qualification of the writ petitioner.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

20.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Secretary to Government,
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Fort St. George, Chennai -9.
2. The District Collector,
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Sivagangai, Sivagangai District.
3. The Personal Assistant to District Collector,
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Sivagangai, Sivagangai District.
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R.VIJAYAKUMAR,J.

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