



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.(MD) No.24234 of 2016

Sri Sithi Vinayagar Senthamil Vidyasalai
Rep. by its Secretary
J.R.John Samuvel Nallathambi
School Street,
Chathiram Puthukulam
Thachanallur Post,
Tirunelveli District

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Personal Assistant to District Collector
Noon Meal Scheme,
O/o. The District Collector
Tirunelveli

3.The Commissioner of Panchayat Union,
Paalai Panchayat Union,
Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to permit the petitioner to appoint a Assistant Cook in the existing vacancy in the petitioner's School by considering the proposal sent by the petitioner dated 15.10.2016 within the time period stipulated by this Court.

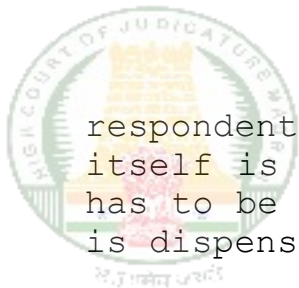
For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.M.Rajarajan
Government Advocate for R1 & R2

ORDER

The prayer in the writ petition is for a writ of Mandamus to direct the respondents to permit the petitioner to appoint an Assistant Cook in the existing vacancy in the petitioner's School by considering the proposal sent by the petitioner dated 15.10.2016 within the time frame.

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2. Heard the learned counsel for the petitioner and the learned Government Advocate, who accepts notice for the



respondents 1 and 2. By consent of both sides, the writ petition itself is taken up for final disposal. In view of the order that has to be passed in the writ petition, notice to the 3rd respondent is dispensed with.

3. For the relief sought for in this writ petition, the petitioner School had sent a proposal consisting of five names for the appointment of Cook at the petitioner's School on 15.10.2016, which seems to have been received by the respondents on 19.10.2016.

4. The petitioner has come out with this writ petition for a mandamus to decide the said proposal sent by the petitioner's School on 15.10.2016 for the purpose of appointment of Assistant Cook from among the five persons sponsored therein.

5. However, the learned Government Advocate produced an order dated 12.12.2016 vide proceedings in q9/38291/2016, by and under, which the proposal of the petitioner's School has been rejected.

6. In view of the said order passed by the respondents, by which, the said proposal sent by the petitioner's School, dated 15.10.2016 received by the first respondent on 19.10.2016, has been rejected, the prayer sought for herein cannot be granted at this stage. Therefore, taking the said proceedings dated 12.12.2016 of the first respondent on record, this writ petition is dismissed. However, it is open to the petitioner to challenge the said order dated 12.12.2016 of the first respondent, if they choose to do so. No costs.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Personal Assistant to District Collector
Noon Meal Scheme,
O/o. The District Collector
Tirunelveli

+1cc to M/s.T.Lajapathi Roy, Advocate Sr.No.81779

RR

sm:PM-AM:20/01/2017:2P/4C

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W.P. (MD) No.24234 of 2016
19.12.2016