

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5579 of 2017
and WMP.No.5939 of 2017

Selva Kanakaraj Aided Middle School,
Rep. by its Correspondent,
A-Agaram Village,
Nithinatham Post - 606 304.
Thittakudi Taluk,
Nallur Union,
Cuddalore District.... Petitioner

vs.

1. State of Tamil Nadu,
Rep by its Secretary,
Social Welfare and Nutritious Scheme,
(SW 7) Department,
Secretariat, Chennai-9.
2. The District Collector,
Cuddalore District,
Cuddalore.
3. The Commissioner,
Nutritious Meal Division,
Panchayat Union Office,
Nallur, Cuddalore District.
4. Block Development Officer,
Thittakudi Taluk,
Cuddalore District. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondents 1 to 4 from conducting selection of Noon Meal Organizer, Cook, Assistant Cook etc., or finalizing the names, appointing without conducting personal interview conducted by the committee including the representative of the petitioner School atleast by following the guidelines as contemplated in the Circular dated 10.07.1997 issued in this regard based on the advise of the first respondent.

For Petitioner : Mr.S.Saravana Kumar
For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The deponent of the affidavit claims to be the Correspondent of the petitioner school and according to him, it was established in the year 1952 and receiving aid from the Government and it is also running Noon Meal Scheme in accordance with the Government policy and the vacancy of Noon Meal Organizer and Assistant Cook is there in that school. The grievance expressed by the petitioner is that as per the guidelines prescribed for filling up the said posts, a Committee to be constituted under the Chairmanship of the jurisdictional District Collector along with Correspondent and Headmaster of the concerned school as well as local body official and without constituting the said Committee, the fourth respondent inviting applications to fill up the said posts and since it is contrary to the relevant norms and guidelines, the petitioner came forward with this writ petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner, in this regard, has personally met the fourth respondent and submitted representations dated 18.02.2017 and 28.02.2017 and despite receipt and acknowledgment, no orders have been passed and therefore, the petitioner is constrained to approach this Court.

4. Heard Mr.K.Dhananjayan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. Though the petitioner prays for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the respondents 2 to 4 along with a copy of this order as well as copies of earlier representations dated 18.02.2017 and 28.02.2017 within a period of one week from the date of receipt of a copy of this order and upon receipt of the same, the respondents 2 to 4 are directed to consider the said representation on merits and in accordance with law and pass orders within a period of two weeks thereafter and till such time, shall defer further decision as to the appointment of Noon Meal Organizer, Cook and Assistant Cook in respect of the petitioner School.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jvm

To

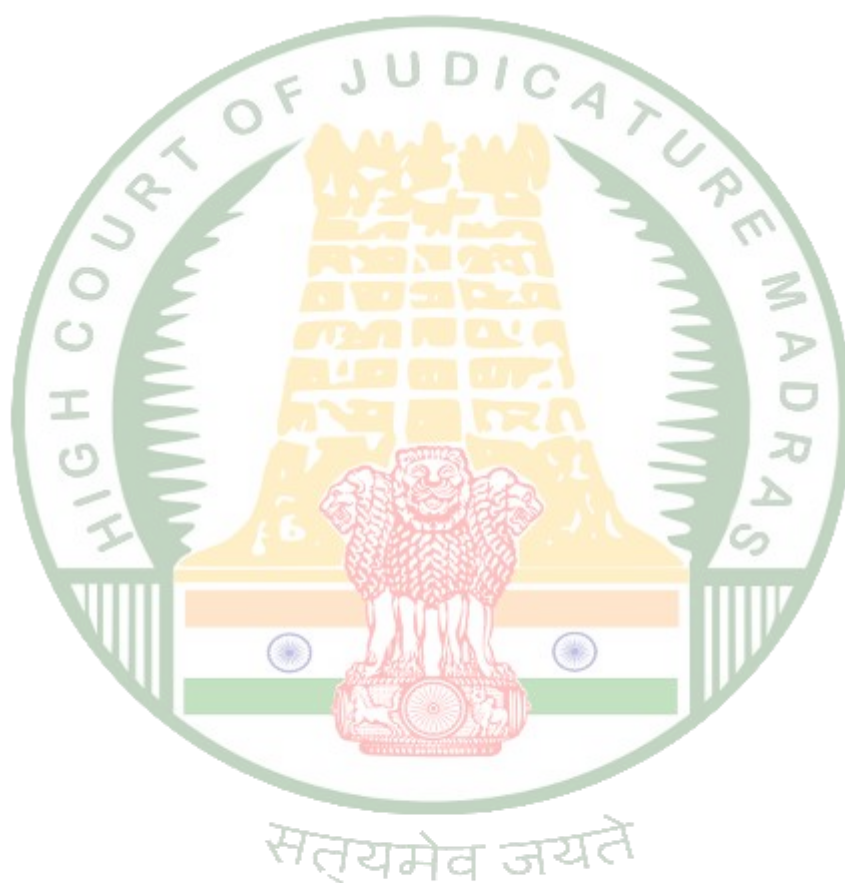
1. The Secretary,
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(SW 7) Department, Secretariat, Chennai-9.
 2. The District Collector,
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 3. The Commissioner,
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Nallur, Cuddalore District.
 4. Block Development Officer,
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- +1 cc to Mr.S.Saravanakumar, Advocate, sr 14141

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rmp(06/03/17)

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