

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.17991 of 2012

and

M.P.No.1 of 2012

Aided Elementary School,
Rep. By its Secretary,
M.Rajagopal,Mullichettipatty,
Thinnappatty Post,
Omalar Taluk,Salem District. ...Petitioner

Vs.

- 1.The District Collector,
Salem District, Salem.
- 2.The Omalar Panchayat Union,
Rep. By its Commissioner,
Omaller, Salem District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondent from appointing a Noon Meal Organizer, a Non meal Cook and an Assistant to the Cook in the Petitioner School without calling for the list of selected candidates from the Petitioner School Management by considering and passing orders on the Representation of the petitioner school dated 02.07.2012.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader.

O R D E R

The relief sought for in this writ petition is to forbear the respondent from appointing a Noon Meal Organizer, a Non meal Cook and an Assistant to the Cook in the petitioner School without calling for the list of selected candidates from the petitioner School Management by considering the representation dated 02.07.2012.

2.The learned counsel appearing on behalf of the writ petitioner states that the respondents are violating the guidelines in respect of appointment, more specifically G.O.Ms.No.294, Social Welfare, Nutritious Meal Programme Department dated 21.10.1993. Since, the respondents have violated the guidelines issued by the Government in this regard, the petitioner was constrained to move this writ petition. However, the petitioner has submitted a representation to the first respondent on 02.07.2012 and the same is yet to be considered.

3.Thus, without going into the merits of the matter, the first respondent is directed to consider the petitioner School's representation dated 02.07.2012 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of copy of this order. The petitioner is directed to enclose a copy of the representation dated 02.07.2012 alongwith the order of this writ petition.

4.Accordingly, the writ petition stands disposed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rm

Copy to:

1.The District Collector,
Salem District,
Salem.

2.The Omalur Panchayat Union,
Rep. By its Commissioner,
Omaller, Salem District.
Omaller, Salem District.

+1cc to Mr.L.M.SELVARAJ Advocate, S.R.No. 82655
+1cc to the Government Pleader, S.R.No. 82867

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SK(CO)
TR(06/12/2017)