



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23850 of 2017

M.Ramar

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Assistant Accountant,
Social Welfare & Nutritious
Meal Programme Department,
Collectorate, Ramanathapuram District.

3.The Commissioner,
Panchayat Union, Mudukulathur,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, challenging the impugned order dated 03.07.2017 passed by the respondent as illegal, quash the same and consequently directing the first respondent herein to appoint the petitioner on compassionate ground in the place of her mother Late.Gyanathiraviyam who died in harness on 11.06.2015 by considering his representation dated 22.02.2016 within time frame fixed.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.J.Gunaseelan Muthaiah,
Addl. Govt.Pleader

ORDER

The petitioner's mother was working as a Noon Meal Organizer. She passed away. The petitioner seeks appointment on compassionate ground. The respondent placing reliance on G.O.No.78, Social Welfare and Nutritious Meal Department dated 25.10.2016 rejected the request of the writ petitioner. The same is under challenge in this writ petition.

2.The post of Noon Meal Organizer is reserved only for women. Therefore, the Government has clarified that if a Noon Meal Organizer dies in harness only the daughters alone will be



considered for appointment on compassionate ground. Seeking compassionate appointment is not a matter of right. It will flow only from the provisions of the scheme.

3. For such appointments, the Government has issued G.O.No.78, Social Welfare and Nutritious Meal Department dated 25.10.2016 making it clear that the daughter among the legal heirs of the deceased Noon Meal Organizer will be considered.

4. The reason assigned in the impugned order is very much sustainable in law. There is no merit in this writ petition. It stands dismissed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District.

2. The Assistant Accountant,
Social Welfare & Nutritious
Meal Programme Department,
Collectorate, Ramanathapuram District.

3. The Commissioner,
Panchayat Union, Mudukulathur,
Ramanathapuram District.

+1cc to M/S. Special Government Pleader, SR. 47243

+1cc to Mr. J. SENTHIL KUMARIAH, Advocate, SR. 43049

W.P (MD) No. 23850 of 2017
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