



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15885 of 2014

and

M.P. (MD) No.1 of 2014

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The Secretary
Muthaiah Memorial Primary School
Rajapalayam, Virudhunagar District

... Petitioner

vs.

1. The Government of Tamil Nadu
rep.by its Principal Secretary
Social Welfare and Nutritious Meal
Scheme Department
St.George Fort, Chennai

2. The District Collector
Virudhunagar District
Virudhunagar

3. P.A.to District Collector
(Nutritious Meals Schemes)
Virudhunagar District
O/o.The District Collector
Virudhunagar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to appoint the cook and Assistant, Nutritious Meal Scheme in Muthaiah Memorial Primary School, Rajapalayam, situated in Rajapalayam, Rajapalayam Panchayat Union in Virudhunagar District from the 5 persons, only recommended by the petitioner for the same posts, within a time stipulated by this Court.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to appoint Cook and Assistant, under Noon Meal Programme, in the writ petitioner / School.

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2. The learned Additional Government Pleader appearing for the respondents states that the writ petitioner / School is a Non-Minority Private School. Therefore, the writ petitioner / School is not entitled for appointment of a Cook or Assistant under the Noon Meal Programme.

3. Nutritious Noon Meal Programme is a special scheme introduced by the Government for the welfare of the children studying in the Schools. The Scheme is to be implemented strictly in accordance with the terms and conditions. The writ petitioner / School cannot claim the post of Cook or Assistant as a matter of right. Only in the event of taking a policy decision by the authorities competent with reference to the Government Orders, Assistant and Cook can be appointed in the writ petitioner / School and not otherwise. This being the principles to be followed, the writ petitioner has not established any legal right so as to consider the relief as such sought for in the present writ petition.

4. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

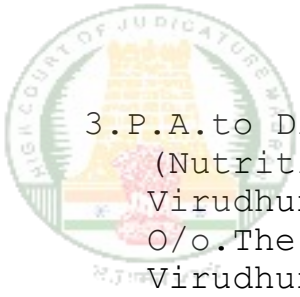
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Sub Assistant Registrar(CS)

To:

1. The Principal Secretary,
Social Welfare and Nutritious Meal
Scheme Department,
Government of Tamil Nadu,
St.George Fort, Chennai.

2. The District Collector,
Virudhunagar District,



3.P.A.to District Collector,
(Nutritious Meals Schemes),
Virudhunagar District,
O/o.The District Collector,
Virudhunagar.

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+1 CC to M/s.F.X.EUGENE, Advocate (SR-77120[F] dated 24/07/2019)

+1 CC to Special Government Pleader (SR-77271[F] dated
24/07/2019)

W.P. (MD) No.15885 of 2014
and
M.P. (MD) No.1 of 2014
23.07.2019
(1/2)

krk

AE/(31.07.2019) 3P 6C