



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.18123 of 2015

and

M.P. (MD) No.1 of 2015

and

WMP (MD) 8592 of 2016

Adi Diravida High School,
Represented by its Correspondent Cum Manager,
J.R.John Samuel Nallathambi,
Rajagopalapuram, Ramaiyanpatty,
Thachanallur Post, Tirunelveli District.

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St. George, Chennai-09.
- 2.The District Collector,
Office of the District Collectorate,
Tirunelveli District.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Kokkarakulam, Tirunelveli-627 009,
Tirunelveli District.
- 4.The District Educational Officer,
S.N.High Road, Tirunelveli-627 001,
Tirunelveli District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent No.2 to fill up the vacant post of Noon Meal Cook and Cook Assistant at the petitioner's Minority School by following the G.O.Ms.No.4, Social Welfare and Noon-Meal Scheme Department, dated 06.01.2011.

For Petitioner
For Respondents

: Mr.T.Lajapathi Roy
: Mrs.S.Srimathy,
Special Government Pleader.

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the second respondent to fill up the vacant post of Noon-Meal Cook and Cook Assistant at the writ petitioner's Minority School by following G.O.Ms.No.4, Social Welfare and Noon-Meal Scheme Department, dated 06.01.2011.

2.The learned counsel appearing on behalf of the writ petitioner states that the posts of Noon-Meal Cook and Cook Assistant are not filled up. He further states that though the writ petitioner's school is eligible for the posts of Noon-Meal Cook and Cook Assistant, the respondents are not granting any permission.

3.The learned Special Government Pleader appearing on behalf of the respondents made a submission that the writ petitioner's school is not eligible for the posts of Noon-Meal Cook and Cook Assistant.

4.It is brought to the notice of this Court that as of now, 38 students alone are studying in the writ petitioner's school. In view of the fact that 38 students are studying in the writ petitioner's school, separate post of Noon-Meal Cook and Cook Assistant cannot be provided with reference to the terms and conditions of the Government Order issued in this regard.

5.This being the factum, if at all there is any increase in the students strength, thereafter, the writ petitioner shall submit a fresh application, seeking permission to fill up the posts.

6.With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Principal Secretary,
State of Tamil Nadu,
Department of School Education,
Room 67, George, Chennai-09.



2.The District Collector,
Office of the District Collectorate,
Tirunelveli District.

3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Kokkarakulam, Tirunelveli-627 009,
Tirunelveli District.

4.The District Educational Officer,
S.N.High Road, Tirunelveli-627 001,
Tirunelveli District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-74720[F] dated 11/07/2019)

+1 CC to M/s.SPL GP (SR-74882,74732[F] dated 11/07/2019)

MYR

W.P. (MD) No.18123 of 2015
10.07.2019

KM/(19.07.2019) 3P 7C