



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.12043 of 2015

and

M.P. (MD) No.2 of 2015

WEB COPY

St. Mary's Primary School
rep. by its Correspondent,
Fr.I.Augustine
Gangaivilasam,
Peruvakottai Post - 623 308
Thiruvadanai Union,
Ramathapuram District.

...Petitioner

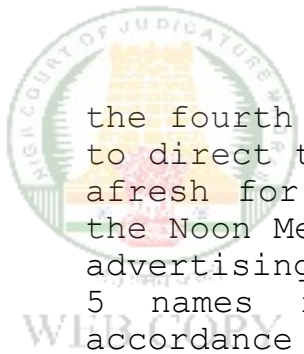
Vs.

- 1.The State of Tamilnadu
Rep. by its Secretary,
Social Welfare and Noon Meal Scheme Department,
St. George Fort, Secretariat,
Chennai.
- 2.The District Collector
Ramanathapuram,
Ramathapuram District.
- 3.The Personal Assistant (GA),
To the District Collector,
Ramathapuram, Ramathapuram District.
- 4.The District Elementary Educational Officer,
Ramathapuram
Ramathapuram District.
- 5.The Additional Assistant Elementary Educational Officer,
Thiruvadanai,
Ramathapuram District.

6.J.Arockia Selvi

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No.W1/14876/2015, dated 08.04.2015 and the consequential order in Na.Ka.W1/14876/2015, dated 18.06.2015 on the file of the second respondent and the consequential communication in Na.Ka.W1/14876/2015 dated 18.06.2015 on the file of the second respondent addressed to



the fourth Respondent and quash the same as illegal and consequently to direct the Respondent Nos.2 & 3 to conduct the selection process afresh for recruitment to the post of Noon Meal Cook Assistant at the Noon Meal Centre attached with the petitioner School by properly advertising about the vacancy and by obtaining a list of recommended 5 names from the Correspondent of the petitioner School in accordance with the G.O.Ms.No.4, Social Welfare and Noon-meal Scheme Department, dated 06.01.2011.

For Petitioner : Ms.Kanimozhi
for Mr.T.Lajapathi Roy

For R-1 to R-5 : Mr.N.Shanmugaselvam,
Additional Government Pleader

For R-6 : Mr.M.Saravanakumar

O R D E R

The order of appointment of the sixth respondent as Noon-Meal Cook Assistant, is under challenge in the present writ petition.

2.On account of efflux of time, the relief as such sought for in the present writ petition cannot be granted. However, with reference to G.O.Ms.No.4 Social Welfare and Noon-Meal Scheme Department, dated 06.01.2011, the Division Bench of this Court, delivered a Judgment on 22.03.2017 in W.A.No.792 of 2012 etc., batch.

3. In view of the fact that now the procedures set out in G.O.Ms.No.4 as well as the Judgment of the Division Bench of this Court, the respondents are directed in the event of taking a decision to fill-up the posts by issuing a recruitment notification. The judgment of the Division Bench as well as the Government orders to be followed scrupulously, so as to provide equal opportunity to all the candidates, who are all aspiring to secure employment.

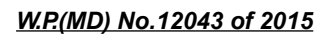
4. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ /2020
Sub Assistant Registrar(CS)



To