



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) .No.762 of 2014

and

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

The Correspondent,
E.Mohammed Umar
Hyrathul Jamaliala Higher Secondary School,
Paramakudi, Ramnad District. ... Petitioner

-Vs-

1.The State of Tamil Nadu
rep., by the Secretary to the Government,
Social Welfare & Nutritious Programme
(NMP-I) Department,
Fort St.George, Chennai 600 009.

2.The District Collector,
Ramnad District.

3.The Commissioner,
Panchayat Union,
Paramakudi, Ramnad District.

4.C.Govindammal ... 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 O.Mu./4171/2013/A3 dated 25.11.2013 issued by the third respondent and quash the same and consequently to direct the respondents to approve the appointment of Mrs.A.Yasmin Parveene in the post of Noon Meal Organizer at the petitioner school.

For Petitioners : Mr.A.S.Mujibur Rahman

For Respondents : Mr.D.Muruganandham
Additional Government Pleader
for R1 to R3
No appearance (For R4)



ORDER

The order impugned dated 25.11.2013 reveals that the post of Noon Meal Organizer is to be filled up by the Committee constituted by the District Collector. In the present case, the writ petitioner Correspondent of Higher Secondary School appointed one Smt.A.Yasmin Parveene as Noon Meal Organizer at his own choice. The approval petition submitted by the writ petitioner School was rejected by the District Collector.

2.The Noon Meal Programme is a Scheme fully funded by the Government of Tamil Nadu. The Government of Tamil Nadu issued G.O.Ms.No.4, Social Welfare Nutritious Meal Programme Department, dated 06.01.2011 and as per the said Government Order, the School Correspondent has to select the candidates as per the procedures set out in the Government Order and send to the District Collector for appointment. Contrarily, the Correspondent himself cannot appoint the Noon Meal Organizer and send a proposal for approval. Such a procedure is applicable even for the Government Aided Minority School. In the present case, the procedures contemplated in the Government Order passed in G.O.Ms.No.4 had not been followed by the writ petitioner while appointing the Noon Meal Organizer. Thus, the approval petition submitted by writ petitioner was rejected by the District Collector. Under these circumstances, this Court is of the considered opinion that there is no infirmity or perversity with reference to the impugned order passed by the District Collector.

3.This being the factum, the writ petitioner is not entitled for the relief as such sought for in the present writ petition. Accordingly, the present Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

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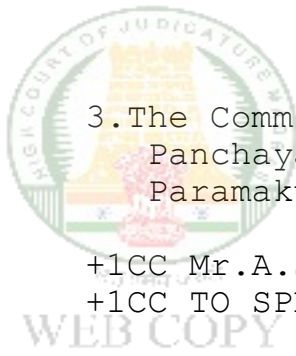
Sub Assistant Registrar

To

1.The Secretary to the Government,
Social Welfare & Nutritious Programme
(NMP-I) Department,
Fort St.George, Chennai 600 009.

2.The District Collector,
Ramnad District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Commissioner,
Panchayat Union,
Paramakudi,Ramnad District.

+1CC Mr.A.S.Mujibur Rahman, Advocate, Sr No.26177
+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.26243

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17.12.2020

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