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W.P.(MD) Nos.16090 & 13690 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2020**

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) Nos.16090 & 13690 of 2017
and W.M.P. (MD) Nos.12764, 12765, 10685,
10686 & 11537 of 2017
(Through Video conferencing)

N.S.Ramasamy ... Petitioner in W.P.(MD)No.16090/2017

R.Jeyaprakash ... Petitioner in W.P.(MD)No.13690/2017

-Vs-

1.The District Collector
Dindigul District, Dindigul.

2.The Panchayat Union Commissioner
Natham Union, Dindigul District. ... Respondents in
W.P.(MD)No.16090/2017

1.The Principal Secretary
Municipal Administration &
Drinking Water Supply (MAWS)
St. George Fort
Chennai - 600 009.

2.The District Collector
O/o.District Collector's Office
Dindigul. ... Respondents in
W.P.(MD)No.13690/2017

Prayer in W.P.(MD)No.16090 of 2017: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the 1st respondent proceedings in Na.Ka.No.320/2016/Sa vu thi-1, dated 29.06.2017 and quash the same in respect of Noon Meal Organisator vacancy allotted for Backward Class at Panchayat Union Primary School, L.Malaiyur, Nathan Taluk, Dindigul District and consequently, direct the 1st respondent to allot the vacancy of Noon Meal Organisator at Panchayat Union Primary School, L.Malaiyur, Nathan Taluk, Dindigul District for Most Backward Community people residing within the same village based on representation dated 04.08.2017 and pass such further or other orders.

Prayer in W.P.(MD)No.13690 of 2017: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of

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Certiorarified Mandamus, to call for the records relating to the impugned Notification dated 29.06.2017 issued by the 2nd respondent for filling up the vacancies of Noon Meal Organizers post and quash the same as illegal and unconstitutional and consequently, direct the 2nd respondent to issue a fresh notification extending the constitutional benefits of reservation to the Adi Dravidar Community by allocating adequate post in accordance with the prevailing roster rule in Tamilnadu and pass such further or other orders.

For Petitioner : Mr.S.Abuthaheer in W.P.(MD)No.16090/2017
Mr.A.Rajini in W.P.(MD)No.13690/2017

For Respondents : Mr.VR.Shanmuganathan,
(In both W.Ps) Special Government Pleader

COMMON ORDER

[Order of the Court was made by **M. SATHYANARAYANAN, J.,**]

The petitioners make a challenge to the impugned proceedings of the Collector of Dindigul District dated 29.06.2017, in and by which, the applications were invited for the post of Noon Meal Organizers.

2. A perusal of the order sheet would disclose that these writ petitions are yet to be entertained and when the matters were listed on 13.07.2020, the learned Special Government Pleader took time to get necessary instructions, as to the latest position and accordingly, these matters are listed today. The learned Special Government Pleader has produced a letter of Collector of Dindigul District, dated 10.07.2020 in ROC.No.320/2016/RD-13, addressed to the office of the Government Pleader and the contents of the letter read among other things that the impugned notification dated 29.06.2017 had been cancelled, vide the office proceedings in ROC.No.320/2016/RD.13, dated 08.07.2020. It is also relevant to extract the contents of the said communication.

'I wish to state that one Thiru.Jeyaprakash, Silukkuvarpatty, Dindigul District filed a case in W.P. (MD)No.13690/2017 before the Hon'ble Madurai Bench of Madras High Court with a prayer to quash the Notification dated 29.06.2017 issued to fill up of 231 Noon Meal Organiser Post, as Communal Rotation was not followed. Counter affidavit was filed stating that Communal Rotation is properly followed as per G.O.(MS) No.55 P & AR (S) Department, dated 08.04.2020.

At this juncture, the Government Secretary, Social Welfare and NMP Department has requested to cancel the notification for fill up of Noon Meal Organiser, if appointment is not made hither to.

Accordingly, the notification dated 29.06.2017 issued to fill up of 231 Noon Meal Organiser Post is



cancelled vide reference 2nd cited. (Copy Enclosed)

I therefore request that the above cancellation details may kindly be informed to Hon'ble Madurai Bench of Madras High Court at the time of hearing.

The said letter is taken on file and record.

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3. This Court heard the submissions of the learned counsel appearing for the petitioner in both the writ petitions also.

4. In the light of the said development, nothing remains for further adjudication in these writ petitions and therefore, these writ petitions are closed. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector
Dindigul District, Dindigul.
- 2.The Panchayat Union Commissioner
Natham Union, Dindigul District.
- 3.The Principal Secretary
Municipal Administration &
Drinking Water Supply (MAWS)
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Order made in
W.P. (MD) Nos.16090 & 13690 of 2017
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vsm

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