



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.11.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.2112 of 2018

and

W.M.P. (MD) .No.2365 of 2018

WEB COPY

R.Jeyalakshmi

... Petitioner

vs.

1.The PA to the District Collector,
Noon Meals Scheme,
Tirunelveli District,
Tirunelveli.

2.The Block Development Officer,
Keelapavoor Union,
Pavoorchathiram,
Tirunelveli District.

3.The Pastorate Chairman & Correspondent,
TIP Meenakshipuram Pasterate,
Church of South India - Tirunelveli Dioses,
TDTA Primary & Middle Schools,
Pavoorchatram 627 808,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the appointment of the petitioner as Noon Meal Organiser in the third respondent's Primary School, TIP Meenakshipuram, Pavoorchatram under the jurisdiction of the second respondent's office, based on the petitioner's application, dated 11.05.2017, within the period stipulated by this Court.

For Petitioner	: Mr.Ananth C.Rajesh
For R1 & R2	: Mr.K.S.Selvaganesan
	Standing counsel for the State
For R3	: Mr.Iyyappan

O R D E R

Heard Mr.Ananth C.Rajesh, learned counsel for the petitioner, Mr.K.S.Selvaganesan, learned Standing counsel appearing for R1 and R2 and Mr.Iyyappan for R3.

2. The petitioner seeks a Mandamus directing the respondents to consider her appointment to R3 School as a Noon Meal Organiser. The School comes under the jurisdiction of R2 and she has filed an



application, dated 11.05.2017, seeking such appointment.

3. No counter affidavit has been filed.

4. There is a procedure in place for the appointment of Noon Meal Organisers and Government Orders issued from time to time govern the terms and conditions for such appointments. I am of the considered view that such appointments cannot be made based simply upon representation filed by aspirants if there had been no call for application in response to which the application was filed.

5. Thus, I see no merit in the prayer and the Mandamus sought is rejected. The petitioner is certainly at liberty to apply for the post of Noon Meal Organiser as and when there is a call for to such post. The necessity and the frequency for such call, is within the domain of the respondents based upon the vacancy position, as at the relevant point in time. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 PA to the District Collector,
Noon Meals Scheme,
Tirunelveli District, Tirunelveli.
- 2.The Block Development Officer,
Keelapavoor Union, Pavoorchathiram,
Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-33942[F] dated 10/11/2021)
+1 CC to M/s.ANANTH C.RAJESH, Advocate (SR-34144[F] dated
11/11/2021)

W.P. (MD)No.2112 of 2018
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