



W.P. No. 5908 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 5908 of 2016

and

W.M.P. Nos. 5259 and 5260 of 2016 and 3197 of 2017

A.Jamuna

... Petitioner

-VS-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Social Welfare and Nutritious Meal Department,
Fort St. George,
Chennai – 600 009.
2. The District Collector,
Vellore District.
3. The Commissioner,
Kaveripakkam Panchayat Union,
Kaveripakkam.
4. Sujatha

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the Second Respondent – District Collector, Vellore District, Na. Ka. No. 1334/2015/BG1 dated 29.01.2016 appointing the Fourth Respondent as Noon Meal Organizer at Adi Dravidar Welfare School, Athipattu, Kaveripakkam, Vellore District, quash the same and further direct



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the Second Respondent to appoint the Petitioner as Noon Meal Organizer at Adi Dravidar Welfare School, Athipattu, Kaveripakkam, Vellore District which the Petitioner is legally entitled to.

For Petitioner : Mr. S.Giridharan

For Respondents : Mr. V.Arun,
Additional Advocate General assisted by
Mrs. C.Sangamithirai,
Special Government Pleader
(for R1 to R3)

No appearance (for R4)

ORDER

Heard Mr. S.Giridharan, Learned Counsel for the Petitioner and Mr. V.Arun, Learned Additional Advocate General assisted by Mrs. C.Sangamithirai, Learned Special Government Pleader appearing for the First to Third Respondents and perused the materials placed on record, apart from the pleadings of the parties. There is no representation for the Fourth Respondent when the matter is called today.

2. The Petitioner and the Fourth Respondent had applied for the post of Noon Meal Organiser in Adi Dravidar Welfare School, Athipattu, Kaveripakkam, Vellore District and the Fourth Respondent had been selected to that post, which has been challenged by the Petitioner in this Writ Petition.



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3. The contention raised in the Writ Petition is that the Fourth Respondent, who is not residing within 3 kms from the Noon Meal Centre has been selected to that post. It has been highlighted that in terms of G.O. Ms. No. 163, Social Welfare and Nutritious Meal Program Department dated 18.08.2010 issued by the Government of Tamil Nadu, the selected candidate should be residing within 3 kms from the Noon Meal Centre in which the selection is sought to be made.

4. In furtherance to the order passed on 13.07.2022 by the Court, the Third Respondent has produced the distance measurement certificates from the Assistant Engineer, Kaveripakkam Panchayat Union after issuing notice to the Petitioner and the Fourth Respondent. In the said certificates, it is shown that the residence of the Petitioner was 3,500 metres while that of the Fourth Respondent is 2,200 metres at the time of making the application. In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw this Writ Petition and he has made an endorsement to that effect in the court record.



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In view of the same, the Writ Petition is dismissed as withdrawn.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

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vjt

Index: Yes/No

Note: Issue order copy by 27.10.2022.

To

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Kaveripakkam.



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P.D. AUDIKESAVALU, J.

vjt

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