



WEB COPY



W.P. No. 6607 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. 6607 of 2016

and

W.M.P. Nos. 5869 and 5870 of 2016

G.Mala

... Petitioner

-VS-

1. The District Collector,
Vellore District,
Vellore.

2. The Personnel Assistant to District Collector,
(Noon Meal)
O/o. District Collectorate,
Vellore.

3. The Commissioner,
Wallaja Panchayat Union,
Wallaja,
Vellore District.

4. Veera Lakshmi

... 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 of the First Respondent in relating to the appointment of the Fourth Respondent as Noon Meal Organizer in the centre of Krishnapuram/Marudampakkam vide Na. Ka. No. 1334/2015/PG1 dated



W.P. No. 6607 of 2016

29.01.2016 and quash the same, consequently directing the First Respondent to appoint the Petitioner as Noon Meal Organizer in the centre of Krishnapuram/Marudampakkam.

For Petitioner : Ms. R.Divya
for Mr. M.R.Elavarasan

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 Ms. R.Divya, Learned Counsel appearing 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 Organizer in Centre of Panchayat Union Middle School, Krishnapuram/Maruthampakkam and the Fourth Respondent had been selected to that post, which has been challenged by the Petitioner in this Writ Petition.



W.P. No. 6607 of 2016

WEB COPY

3. 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. Though it is accepted in the Counter-Affidavit dated 20.06.2016 filed by the First Respondent that the Petitioner and the Fourth Respondent are residing within 3 kms from the Noon Meal Centre, in the comparative assessment of marks, it has been shown that candidates residing within 1 km from the Noon Meal Centre will be awarded 20 marks while those residing within 1 km to 2 kms will be awarded 10 marks, and that the Fourth Respondent who resides within 1 km has been awarded 20 marks and that the Petitioner who resides within 1 km to 2 kms has been awarded 10 marks, but the Petitioner does not accepts the correctness of the same.

4. In furtherance to the order passed on 13.07.2022 by the Court, the Third Respondent has produced the distance measurement certificate from the Union Engineer, Walaja Panchayat Union after issuing notice to the Petitioner and the Fourth Respondent. In the said certificate, it is shown that the residence of the Petitioner was 3667 metres while that of the Fourth Respondent is 71 metres at



W.P. No. 6607 of 2016

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.

In fine, the Writ Petition is dismissed as withdrawn. Consequently, the connected Miscellaneous Petitions are closed. No costs.

23.08.2022

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Index: Yes/No

Note: Issue order copy by 27.10.2022.

To

1. The District Collector,
Vellore District,
Vellore.
2. The Personnel Assistant to District Collector,
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3. The Commissioner,
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W.P. No. 6607 of 2016

P.D. AUDIKESAVALU, J.

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W.P. No. 6607 of 2016

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