



WEB COPY



W.P. No. 9848 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. 9848 of 2016
and
W.M.P. No. 8810 of 2016**

S.Alamelu

... Petitioner

-VS-

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Personal Assistant (Noon Meal Scheme),
District Collector,
Thiruvannamalai District.
3. The Panchayat Commissioner/Block Development Officer,
Thandampattu Panchayat Union,
Thiruvannamalai District.
4. K.Deepancha

... 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 entire records in respect of the order passed by the Second Respondent dated 29.02.2016 in Na. Ka. No. 10791/2014/SaUT-1 and quash the same and consequently direct the First to Third Respondents to appoint the Petitioner for the post of cooking assistant at Panchayat Union Middle School, Veppur Sekkadu Village, Thandampatty Taluk, Thiruvannamalai District.



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For Petitioner : Mr. D.Rajagopal

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

No appearance (for R4)

ORDER

Heard Mr. D.Rajagopal, Learned Counsel for the Petitioner and Mr. V.Arun, Learned Additional Advocate General assisted by Mr. P.Balathandayutham, 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 Cooking Assistant in Panchayat Union Middle School, Veppur Sekkadi Village, Tiruvannamalai 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 residing 5 kms away 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 Second Respondent has produced the distance measurement certificates from the Assistant Engineer, Thandrapattu Panchayat Union after issuing notice to the Petitioner and the Fourth Respondent. In the said certificates, it is shown that the residences of the Petitioner and the Fourth Respondent were 1.64 km 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.

5. The fixed deposit for Rs. 5,000/- which had been handed over by the Petitioner to the Registry in terms of the order dated 13.07.2022 passed by the



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Court shall be returned to her with endorsement to collect that amount with interest from the bank concerned.

In fine, the Writ Petition is dismissed as withdrawn.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

23.08.2022

vjt

Index: Yes/No

Note: Issue order copy by 27.10.2022.

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
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Thiruvannamalai District.
3. The Panchayat Commissioner/Block Development Officer,
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P.D. AUDIKESAVALU, J.

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