



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.4.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.24248 of 2021

1.K.J.Ibrambal
Correspondent, TELC Primary School,
Udayarkudi Post, Kattumannarkovil,
Cuddalore - 608 301. ...Petitioner

Vs.

1.The District Collector,
Cuddalore District, Cuddalore.
2.The Block Development Officer,
Kumaratchi Range, Kattumannarkovil
Cuddalore-608 301 ...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to give authorization to the petitioner Correspondent of Tamil Evangelical Lutheran Church (TELC) Government Aided Primary School at keezh Athangudi Kumaratchi Range, Kattumannarkovil, Cuddalore District to appoint Noon Meal Organizer, Cook and Assistant Cook whenever vacancies arose on the basis of the representation given by the petitioner, dated 21.9.2021.

For Petitioner : Mrs.T.Sreelekha
For Respondent No.1 : Mr.M.Bindran, A.G.P.
For Respondent No.2 : Mr.K.M.D.Muhilan, G.A.

O R D E R

According to the petitioner, the petitioner was the Correspondent of Tamil Evangelical Lutheran Church (TELC) Government Aided Primary School at keezh Athangudi Kumaratchi Range, Kattumannarkovil, Cuddalore District. The aforesaid institution is a minority institution. According to the petitioner, vacancies which arose at the petitioner's school for the post of Noon Meal Organizer, Cook, Cook Assistant.



According to the petitioner, since the funds for Noon Meal scheme are sanctioned by the Central and State Government, the first respondent is the only authorized person to appoint the Noon Meal workers. The petitioner sent a detailed representation on 21.9.2021 requesting to authorize the petitioner to appoint the Noon Mean Organizer, Cook and Assistant Cook whenever there is vacancy in the school. However, no order has been passed by the first respondent. Hence, the petitioner has filed the present writ petition before this Court.

2. The learned Additional Government Pleader appearing for the respondents has placed decision of the Division Bench of this Court in B.Saraswathy Amma vs. The District Collector, Kanyakumari District and 3 others [W.A.(MD) No.508 of 2012] wherein the Division Bench of this Court relying upon G.O.Ms.No.294, has held that the Correspondent of any aided Schools or minority schools have no right to claim in the administration of the Noon Meal Programme which are entirely run by the State Government and the expenses are also borne by the State Government. Therefore, Noon Meal employees are being appointed by the Personal Assistant to the District Collector. The learned Additional Government Pleader also placed before this Court G.O.Ms.No.4, dated 6.1.2011 wherein it is stated that Nutritious Meal Organizers are appointed by the District Collector, Cook and Assistant are appointed by the Personal Assistant to the District Collector.

3. The learned Government Advocate appearing for the second respondent would further submit that the request of the petitioner School will be considered by the respondents and issue appointment orders by way of transfer to the petitioner's School and the vacancies will be filled up within a period of four weeks from the date of receipt of copy of the order.

4. Recording the said submission made by the second respondent, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Block Development Officer,
Kumaratchi Range,
Kattumannarkovil, Cuddalore-608 301.

+lcc to Mr.D.Rajagopal, Advocate SR. No.26428

+lcc to Government Pleader SR. No. 26143

W.P.No.24248 of 2021

RSV (CO)

PR (04/05/2022)