



WEB COPY

W.P.No. 11621 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 11621 of 2017

and

W.M.P.No. 12637 of 2017

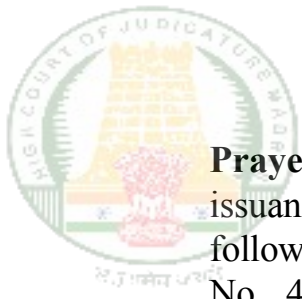
Jayakrishna Aided Primary School,
Represented by its Secretary,
Echuvani, Valayapatti Post,
Sendamangalam Taluk,
Namakkal District.

... Petitioner

Vs.

1. The District Collector,
Namakkal District,
Collectorate campus,
Namakkal, Tamilnadu.
2. The Personal Assistant to the District Collector
of Namakkal,
(Nutritious Meal Programme)
Collectorate Campus,
Namakkal, Tamilnadu.
3. The Commissioner,
Erumaipatti Panchayat Union,
Erumaipatty, Sendamangalam Taluk,
Namakkal District, Tamilnadu.

... Respondents



Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to follow the selection process applicable to Non-minority school vide G.O.(Ms) No. 4 dated 06.01.2011 issued by Social Welfare and Nutritious Meal Programme Department for the post of Nutritious Meal organiser and cook assistant by considering the petitioner's school as a Non-minority school.

For Petitioner	: Mr. T.L. Thirumalaisamy
For Respondents	: Mr. V. Arun
	Additional Advocate General
	Assisted by
	Mrs. S. Mythreyechandru
	Special Government Pleader
	for R1 and R2
	Mr. K.H. Ravikumar
	for R3

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to follow the selection process applicable to the non-minority schools vide G.O.(Ms) No. 4 dated 06.01.2011, issued by the Social Welfare and Nutritious Meals Programme Department for the post of Nutritious Meal Organiser and Assistant Cook.

2. The petitioner is Jayakrishana Aided Primary School at Sendamangalam Taluk. The grievance of the writ petitioner is that the petitioner school has not been treated as non-minority school for the purpose of availing benefits conferred by the Government vide G.O.(Ms) .4 dated



06.01.2011.

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3. The learned Additional Advocate General appearing for the respondents 1 and 2, made a submission that the Government Order issued in G.O.(Ms). No. 4 dated 06.01.2011, was upheld by the Hon'ble Division Bench of this Court in judgment dated 22.03.2017 in W.A.(MD) Nos. 792 of 2012, etc.

4. In view the fact that the validity of G.O.(Ms) No. 4, Social Welfare and Nutritious Meals Programme Department dated 06.01.2011 has been upheld, the said G.O, is to be followed by the authorities competent.

5. The grievance of the writ petition is that the petitioner school is not a minority school and therefore the benefits have to be extended and there is no impediment for extending the benefit of G.O.(Ms) No. 4 dated 06.01.2011, in favour of the petitioner school. Accordingly, the respondents are directed to extend the benefits conferred in G.O.(Ms) No. 4 dated 06.01.2011, to the petitioner school, by following the procedures as contemplated.

6. With these directions, the writ petition stands disposed of . No



costs. Consequently, connected miscellaneous petition is closed.

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mrn

Index : Yes / No

Speaking order / Non-Speaking order

To

1. The District Collector,
Namakkal District,
Collectorate campus,
Namakkal, Tamilnadu.
2. The Personal Assistant to the District Collector
of Namakkal,
(Nutritious Meal Programme)
Collectorate Campus,
Namakkal, Tamilnadu.
3. The Commissioner,
Erumaipatti Panchayat Union,
Erumaipatty, Sendamangalam Taluk,
Namakkal District, Tamilnadu.

S.M.SUBRAMANIAM, J.



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