



W.P. No. 32536 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM

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

W.P. No. 32536 of 2017

S.Vijayalakshmi

... Petitioner

-VS-

1. The Collector,
Dharmapuri District,
Dharmapuri.

2. The Block Development Officer,
(Block Panchayats),
Palacode, Dharmapuri District.

3. T.Aruljothi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the First Respondent in Na. Ka. No. 1521/2016/X-1 dated -11-2017 and quash the same and direct the First Respondent to appoint the Petitioner as Noon Meal Organizer, Panchayat Union Primary School, Gujjarahalli in the place of the Third Respondent with effect from the date of the impugned order, namely, -11-2017 and grant her all consequential benefits.



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For Petitioner

: Mr. P. Manoj Kumar

For Respondents

: Mr. V.Arun

Additional Advocate General

assisted by Mr. R.Kumaravel

Additional Government Pleader (for R1)

Mr. T.Arun kumar (for R2)

Mr. R.Ramesh Raja (for R3)

ORDER

Heard Mr. P. Manoj Kumar, Learned Counsel for the Petitioner and Mr. V.Arun, Learned Additional Advocate General assisted by Mr. R.Kumaravel, Learned Additional Government Pleader appearing for the First Respondent and Mr. T.Arun kumar, Learned Counsel for the Second Respondent and Mr. R.Ramesh Raja, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner and the Third Respondent had applied for the post of Noon Meal Organizer in Panchayat Union Primary School, Gujjarahalli Village, Palacode Taluk, Dharmapuri District and the Third Respondent had



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been selected to that post, which has been challenged by the Petitioner in this

Writ Petition.

3. The contention raised in the Writ Petition is that the Petitioner is residing within 500 metres away from the Noon Meal Centre, but the Third Respondent, who is residing 4 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 16.06.2022 by the Court, the Second Respondent has produced the distance measurement certificate from the Assistant Engineer (RD), Palacode Panchayat Union after issuing notice to the Petitioner and the Third Respondent. In the said certificate, it is shown that the residence of the Petitioner was 0.300 km while that of the Third Respondent is 1.980 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.



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5. The receipt of the fixed deposit for Rs. 5,000/- which had been handed over by the Petitioner to the Registry in terms of the order dated 16.06.2022 passed by the 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. No costs.

18.07.2022

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Index: Yes/No

Note: Issue order copy by 27.10.2022.

To

1. The Collector,
Dharmapuri District,
Dharmapuri.
2. The Block Development Officer,
(Block Panchayats),
Palacode, Dharmapuri District.



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P.D. AUDIKESAVALU, J.

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