



W.P. No. 34010 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

W.P. No. 34010 of 2017

and

W.M.P. Nos. 37726 and 37727 of 2017

Murugammal

... Petitioner

-VS-

1. The District Collector,
Dharmapuri District,
Dharmapuri – 636 705.

2. The Block Development Officer,
Nallampalli Panchayat Union,
Nallampalli Taluk,
Dharmapuri District.

3. Ongali

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certioraified Mandamus, calling for the records relating to the impugned order passed by the First Respondent in Pro. Na. Ka. No. 1521/2016/X1 dated Nil.11.2017, quash the same and issue consequential directions to the First Respondent herein to appoint the Petitioner as Noon Meal Organizer in the Panchayat Union Elementary School, Merkathiyaankottai Centre, Nallampalli Panchayat Union, Dharmapuri District.



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For Petitioner : Mr. R.Thamaraiselvan

For Respondents : Mr. V.Arun,
Additional Advocate General assisted by
Mr. R.Kumaravel,
Additional Government Pleader (for R1)

Mr. C.Palanisamy (for R3)

ORDER

Heard Mr. R.Thamaraiselvan, Learned Counsel for the Petitioner, Mr. V.Arun, Learned Additional Advocate General assisted by Mr. R.Kumaravel, Learned Additional Government Pleader appearing for the First Respondent and Mr. C.Palanisamy, 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 Elementary School, Merkathiyaankottai Centre, Nallampalli Panchayat Union, Dharmapuri District and the Third 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 Petitioner is residing within 3 kms from the Noon Meal Centre, but the Third Respondent, who is residing 4½ kms away from there, 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 certificate from the Road Inspector, Nallampalli 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 1,570 metres (1.570 km) while that of the Third Respondent is 1,590 metres (1.590 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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In view of the same, the Writ Petition is dismissed as withdrawn.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

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vjt

Index: Yes/No

Note: Issue order copy by 27.10.2022.

To

1. The District Collector,
Dharmapuri District,
Dharmapuri – 636 705.
2. The Block Development Officer,
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Nallampalli Taluk,
Dharmapuri District.



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P.D. AUDIKESAVALU, J.

vjt

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