



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD)No.12263 of 2022

and

W.M.P. (MD)Nos.8713 & 8715 of 2022

WEB COPY

T.Prem Kumar

... Petitioner

/vs./

1.The State of Tamil Nadu,  
Represented by its Secretary to Government,  
Social Welfare & Nutritious Meal Programme Department,  
Fort St.George,  
Chennai-9.

2.The Commissioner,  
Social Welfare & Nutritious Meal Programme Department,  
Panagal Building 2<sup>nd</sup> Floor,  
Saidapet,  
Chennai - 15.

3.The District Collector,  
Sivagangai,  
Sivagangai District.

4.The Commissioner,  
Ilayangudi Panchayat Union,  
Sivagangai,  
Sivagangai District.

5.The Block Development Officer,  
Ilayangudi Panchayat Union,  
Sivagangai,  
Sivagangai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent in his proceedings in Na.Ka.A5/782/20 dated 19.04.2021 and quash the same as illegal and consequentially to direct the respondents to provide employment to the petitioner as Noon Meal Organizer on compassionate ground or in any entry level post by taking into account of his indigent circumstances and it terms of order made in W.A.(MD) No.702 of 2007 dated 08.01.2008 and in the light of G.O.Ms.No.125 Social Welfare and Nutritious Meal programme Department dated 18.08.2010 within the period that may be stipulated by this Court.



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For Petitioner : Mr.C.Venkatesh Kumar  
for M/s.Ajmal Associates  
For R1 to R4 : Mr.M.Siddharthan  
Additional Government Pleader  
For R5 : Mr.M.Prakash

**ORDER**

The petitioner's request, for compassionate appointment for the post of Noon Meal Organizer came to be rejected, through the impugned order dated 19.04.2021 on the ground that the petitioner, being a male legal heir is not eligible for the post of Noon Meal Organizer and that the petitioner's mother may exercise her option.

2.The Government, in a recent order in G.O.Ms.No.48, Social Welfare and Woman Rights Department dated 18.08.2021, has ordered that only the female legal heirs can be considered for appointment to the post of Noon Meal Organizer and that the male legal heirs are not entitled for the said post.

3.In view of the aforesaid Government Order, I do not find any infirmity in the impugned order passed by the fourth respondent. Accordingly, the Writ Petition stands dismissed. However, it is open to the petitioner to make a representation seeking for compassionate appointment, to any other post other than Noon Meal Organizer and on receipt of such representation, the concerned respondent shall consider it, on its own merits and pass appropriate orders in accordance with law as expeditiously as possible. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

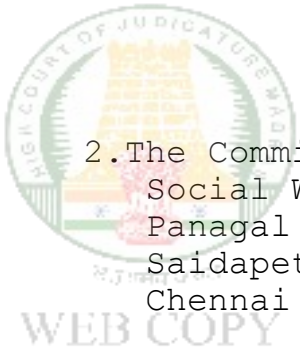
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/07/2022

Sub Assistant Registrar(CS)

**To:**

1.The State of Tamil Nadu,  
Represented by its Secretary to Government,  
Social Welfare & Nutritious Meal Programme Department,  
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3.The District Collector,  
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Sivagangai District.

4.The Commissioner,  
Ilayangudi Panchayat Union,  
Sivagangai,  
Sivagangai District.

+1 CC to M/s.SPL.GP ( SR-26768[F] dated 20/06/2022 )

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-26891[F] dated 20/06/2022 )

Order made in  
W.P. (MD) No.12263 of 2022

Dated:  
17.06.2022

= SS/04/07/2022/ 3P 7C