



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. (MD)No.12792 of 2020

M.P.Gunasekaran

: Petitioner

Vs.

- 1.The Principal Secretary to Government,
Department of Social Welfare,
Secretariat, Chennai - 9.
- 2.The Director,
Department of Social Welfare,
Sindadiripet,
Chennai - 5.
- 3.The Principal Secretary / Special Commissioner,
ICDS, Tharamani,
Chennai - 113.
- 4.The District Project Officer,
Child Development Project,
Madurai District,
Madurai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus directing the 1st respondent to consider the representation of the petitioner dated 08.06.2020 in the light of the recommendation made vide G.O.Ms.No.37, dated 28.02.2011.

For Petitioner : No representation

For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

The petitioner before this Court is working as a Noon Meal Organizer for the past 35 years. The Government has issued a Government Order in G.O.Ms.No.12, Social Welfare and Nutritious Meal Department, dated 12.01.2010, stipulating certain conditions for promoting qualified Noon Meal Organizers and Anganwadi Workers.



According to the petitioner, some discrepancies have crept-in in the said Government Order by way of discrimination based on Gender and therefore, the Government has passed another order in G.O.Ms.No.37, Social Welfare and Nutritious Meal Department, dated 28.02.2011, constituting a Committee to clear off the discrimination. Though the Committee has made a recommendation on 06.07.2018, the Government has not taken any decision to rectify the grievance of Male Noon Meal Organizers. In this regard, the petitioner has made several representations and the latest one on 08.06.2020, seeking promotion. Since there is no response, he has filed the instant writ petition.

2. There is no representation for the petitioner.

3. Heard the learned Special Government Pleader appearing for the respondents, who, on instructions, submitted that the representation of the petitioner would be disposed of within a stipulated time limit.

4. It is needless to point out that whenever a representation is made to a Statutory Authority, there is a duty cast upon them to consider the same, on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely.

5. In such view of the matter, this writ petition stands disposed of, with a direction to the first respondent to consider the petitioner's representation dated 08.06.2020 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned authority to consider the same on its own merits. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

gk

To

1. The Principal Secretary to Government,
Department of Social Welfare,
Secretariat, Chennai - 9.



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Department of Social Welfare,
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Child Development Project,
Madurai District,
Madurai.

+1 CC to M/s.SPL.GP (SR-3937[F] dated 03/02/2022)

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