



W.P.(MD)No.14672 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.14672 of 2020

and

W.M.P.(MD)Nos.12326 and 12328 of 2020

A.Maheswari

... Petitioner

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Personal Assistant to District Collector,
(PTMGRNMP),
Ramanathapuram District,
Ramanathapuram.

3. The Commissioner,
Mudukulathur Panchayat Union,
Mudukulathur,
Ramanathapuram District.

4. The Correspondent,
TELC High School,
Mudukulathur,
Ramanathapuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India



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praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communication of the first respondent in his proceedings in Se.Ve.No.31/September dated 23.09.2020 calling for application to fill up the post of Noon Meal Organizer in the fourth respondent School is concerned and quash the same and consequently, direct the respondents 1 and 2 to appoint the petitioner in the post of Noon Meal Organizer in the light of the recommendation of the then Judge Administrator of the fourth respondent School dated 24.03.2017 and the recommendation of the fourth respondent dated 19.06.2017.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This Writ Petition has been filed to call for the records of the impugned communication passed by the first respondent in his proceedings in Se.Ve.No.31/September dated 23.09.2020 calling for application to fill up the post of Noon Meal Organizer in the fourth respondent School is concerned, quash the same and consequently, direct the respondents 1 and 2 to appoint the petitioner in the post of Noon Meal Organizer in the light of the recommendation of the then Judge Administrator of the fourth respondent School dated 24.03.2017 and the recommendation of the fourth respondent dated 19.06.2017.

2. The learned counsel appearing for the petitioner would submit that



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she is a permanent resident at 6/154, Devendra Nagar, Mudukulathur, Ramanathapuram District and she belong to Schedule Cast Community. She has completed B.A., Degree and Diploma in Teacher's Education Course as well. She has been called for certificate verification scheduled to be held on 08.06.2017 for the appointment to the post of Noon Meal Organizer in the fourth respondent's School in the office of the second respondent through the communication dated 26.05.2017. The fourth respondent had also passed a resolution dated 23.08.2016 to the effect and the resolution was also forwarded to the respondents 1 and 2. Since the petitioner was not appointed, she filed a Writ Petition in W.P.(MD)No.11995 of 2017. This Court by an order dated 29.06.2017 ordered notice by observing that any appointment will be subject to the outcome of the Writ Petition. Pending Writ Petition, the first respondent vide impugned communication dated 23.09.2020 calling for application to the post of Noon Meal Organizer in the Ramanathapuram District in the fourth respondent School. Challenging the impugned communication, the present Writ Petition has been filed.

3. The learned Additional Government Pleader appearing for the respondents would submit that based on the G.O.(Ms)No.163, Social



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Welfare and Noon Meal Department, dated 18.08.2010, the first respondent has issued an impugned communication dated 23.09.2020 in order to fill-up the vacant post of Noon Meal Organizer by direct appointment in the Schools which comes under the jurisdiction of the first respondent. After scrutinization of the applications, call letters were served to the candidates who all are eligible for the post by fixing the interview date to be conducted on 13.10.2020 and 14.10.2020. Subsequently, the same was cancelled due to the pandemic situation of Covid-19 and the entire selection process was kept in abeyance. However, the appropriate notification will be issued in future for filling up the post. If any such notification is issued, the petitioner is entitled to participate in the future selection process. Hence, he prays for dismissal of the Writ Petition.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. In view of the stand taken by the learned Additional Government Pleader for the respondents in the counter affidavit filed by them that the entire selection process as per the impugned notification is kept in



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abeyance, no further order is necessary in this Writ Petition. It is open to the petitioner to participate in the future selection process if any notification is issued by the respondents in this regard.

6. Accordingly, this Writ Petition is disposed of in the above terms.

No costs. Consequently, connected Miscellaneous Petitions are closed.

31.01.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

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M.DHANDAPANI, J.

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