



W.P.(MD)No.8707 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.8707 of 2018

and

W.M.P.(MD)Nos.8167 and 8168 of 2018

The Secretary,
Rama Palanivelsamy Primary School,
Bodi - Meenatchipuram,
Bodi Naickanoor Taluk,
Theni District.

... Petitioner

Vs.

1. The District Collector,
Theni District, Theni.
2. The Personal Assistant (District Collector
Nutritious Mean),
Theni District, Theni.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.11458/2017/Uu.Va.



W.P.(MD)No.8707 of 2018

12, dated 07.08.2017 issued by the second respondent and quash the same as void and illegal and direct the respondents, to fill up those posts as per the settled law in the petitioner's School (Nutritious Meal Centre).

For Petitioner : Mr.F.X.Eugene
For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This Writ Petition has been filed to call for the records of the impugned order vide proceedings in Na.Ka.No.11458/2017/Uu.Va.12, dated 07.08.2017 issued by the second respondent, quash the same as void and illegal and direct the respondents, to fill up those posts as per the settled law in the petitioner's School (Nutritious Meal Centre).

2. The learned counsel appearing for the petitioner would submit that the petitioner is the Secretary of the School and he has forwarded five names for appointment to the post of Noon Meal Organiser in terms of G.O.(Ms).No.918, Backward Classes Welfare, Nutritious Meal Programme and Social Welfare Department, dated 03.11.1989. However, the same was



W.P.(MD)No.8707 of 2018

rejected on the ground that the said G.O.(Ms).No.918 was modified and new G.O.(Ms).No.4, Social Welfare and Nutrious Meal Department, dated 06.01.2011 was issued. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would further submit that this Court may permit the petitioner to send a proposal in terms of G.O.(Ms).No.4, dated 06.01.2011 all applicable rules as on today.

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

5. In view of the limited request made by the learned counsel for the petitioner, this Court, without interfering with the order impugned in the Writ Petition, permits the petitioner to send a fresh proposal in terms of all applicable Government Order as on date and if such proposal is forwarded, the official respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law as expeditiously as possible.



W.P.(MD)No.8707 of 2018

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6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.02.2023

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

vji

To

1. The District Collector,
Theni District,
Theni.
2. The Personal Assistant (District Collector
Nutritious Mean),
Theni District,
Theni.



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W.P.(MD)No.8707 of 2018

M.DHANDAPANI,J.

vji

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