



W.P(MD)No.28378 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.12.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28378 of 2023

and

W.M.P(MD)Nos.24419 & 24421 of 2023

Sri Ram Nallamani Yadavar

Girls Higher Secondary School,
Thiruppalai, Madurai.

Through its Secretary N.Rajendran.

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Commissioner,
Madurai West Panchayat Union,
Madurai.

3.Seethai

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the 2nd respondent in his proceedings Na.Ka.No.42622/சஉதி-1/2022, dated 10.11.2023 and quash the same and further direct the 2nd respondent to conduct a detailed enquiry and to pass orders on petitioner's representation, dated 14.11.2022 to cancel the



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false and fraudulent documents as mentioned in the representation.

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For Petitioner : Mr.PT.S.Narendravasan
For R1 : Mr.N.GA.Natraj
Government Advocate
For R2 : Mr.J.Ashok
Additional Government Pleader

ORDER

The present writ petition has been filed challenging an order passed by the 1st respondent herein, wherein the request of the petitioner school for approval of appointment of a Noon Meal Organizer has been rejected.

2. According to the learned counsel appearing for the writ petitioner, a vacancy arose in the post of Noon Meal Organizer in their school on 31.07.2023 in view of the retirement of one S.Eswari. They have appointed one K.Sangeetha to the said post on 01.11.2023. The said appointment was sent for approval to the Madurai West Panchayat Union Commissioner for his approval and by an order, dated 19.10.2023, he has informed the school that only the Government can fill up the said post.



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3. Thereafter, the petitioner school had approached the 1st respondent herein for approval of the appointment of K.Sangeetha as a Noon Meal Organizer. The said request has been rejected under the impugned order, dated 10.11.2023.

4. A perusal of G.O.Ms.No.163 Social Welfare and Nutritious Meal Programme Department, dated 18.08.2010 reveals that a Noon Meal Organizer could be appointed only by the District Collector, namely the 1st respondent herein. The petitioner school does not have any power to appoint a Noon Meal organizer. Therefore, this Court does not find any illegality in the order impugned in the writ petitioner.

5. However, it is the grievance of the petitioner school that one Seethai has been placed an additional charge as a Noon Meal Organizer for the petitioner school also. The said Seethai is in additional charge of almost 3 schools and therefore, it will be difficult for the school to arrange noon meals for the students. Therefore, he had requested the Court that the authorities may be directed to appoint a separate Noon Meal Organizer for the petitioner school.



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6. Considering the above said facts, the 1st respondent is directed to pass orders appointing a separate Noon Meal Organizer for the petitioner school after following due process of law.

7. With the said observations, this Writ Petition stands disposed of.
No costs. Consequently, connected Miscellaneous Petitions are closed.

06.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The District Colector,
Madurai District,
Madurai.
- 2.The Commissioner,
Madurai West Panchayat Union,
Madruai.



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R.VIJAYAKUMAR,J.

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Order made in
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