



W.P.(MD)No.8973 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.08.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.8973 of 2017
and
W.M.P.(MD)Nos.6855 to 6857 of 2017

The Secretary,
Hindu Primary School,
Valaiyapatti – 626 127,
Virudhunagar District.

... Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Social Welfare
and Nutritious Meals Programme,
Fort.St.George,
Chennai 600 009.
- 2.The District Collector, Virudhunagar,
Virudhunagar District.
- 3.The Personal Assistant (Noon Meals)
to the District Collector,
Virudhunagar District.



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4. The Commissioner,
The Panchayat Union,
Vempakottai,
Virudhunagar District.

5. R. Anna Lakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 2nd respondent District Collector in Na.Ka.No.R3/968/2016 dated 24.04.2017 appointing the 5th respondent as Noon Meal Organiser in the petitioner school, quash the same and further direct the Respondents 2 to 4 to appoint S.Subbulakshmi, W/o.Paranitharan, 2/73, South Street, Valayapatti, Viruthunagar District as Noon Meal Organizer in the petitioner school considering her continuous work as Noon Meal Organizer in the petitioner school under Management Staff w.e.f. 05.07.2012.

For Petitioners : Mr.S.Xavier Rajini

For Respondents : Mr.G.Suriya Ananth (R1 to R3)

Additional Government Pleader

No appearance (R4)



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ORDER

This writ petition has been filed challenging the order dated 24.04.2017 issued by the second respondent appointing the fifth respondent as Noon Meal Organizer in the petitioner school.

2. It is now brought to the notice of this Court by the learned counsel appearing for the petitioner that subsequent to the order of status quo passed by this Court in this writ petition on 11.05.2017, the fifth respondent has not joined the petitioner service. He would submit that the fifth respondent has been transferred to another school, which is, on instructions accepted by the learned Additional Government Pleader appearing for the respondents.

3. Since the fifth respondent has joined another school, the writ petition has now become infructuous, as this writ petition has challenged the appointment of the fifth respondent to the petitioner school.



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4. The learned counsel appearing for the petitioner submits that ever since 2012, one S.Subbulakshmi, W/o.Paranitharan, has been working with the petitioner school and has been appointed as Noon Meal Organizer by the petitioner school and the approval for appointment is yet to be made by the official respondents. He seeks liberty for the petitioner to submit a fresh representation to the respondents seeking for approval for the appointment of S.Subbulakshmi, as Noon Meal Organizer in the petitioner school and he also seeks for a direction to the respondents to consider the said representation within a time frame to be fixed by this Court.

5. No prejudice will be caused to the respondents, if the petitioner is granted liberty as prayed for in this writ petition and a direction is issued to the respondents to consider the said representation on merits and in accordance with law, within a time frame to be fixed by this Court.

6. This writ petition is disposed of as infructuous and the consequential direction is issued to permit the petitioner to submit a fresh representation to the second respondent seeking approval for



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appointment of S.Subbulakshmi, as Noon Meal Organizer for the petitioner school within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass on merits and in accordance with law, within a period of twelve weeks thereafter. No costs. Consequently, connected miscellaneous petitions are closed.

13.08.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:-

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
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- 2.The District Collector, Virudhunagar,
Virudhunagar District.
- 3.The Personal Assistant (Noon Meals)
to the District Collector,
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Order made in
W.P.(MD)No.8973 of 2017

Dated:
13.08.2024