



WEB COPY

WP No. 1145 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

W.P. No. 1145 of 2024

1. M.Naveen,
S/o.Mani, No.442, New Colony,
Karapondi Village, Polur Talluk,
Tiruvannamalai District.

Petitioner(s)

Vs

1. The District Collector
Tiruvannamalai District.

2.The Commissioenr,
Panchayat Union, Chetpet,
Tiruvannamalai District.

Respondent(s)

PRAYER

The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order dated 18.10.2021 in Na.Ka. Va. A6/ 2069/ 2021 issued by the second respondent quash the same and consequentially issue direction to the second respondent herein to consider afresh the petitioner application dated 12.08.2021.

For Petitioner(s): Mr. G.Mageshkumar

For Respondent(s): Mr. K. Surendran
Additional Government Pleader for R1

Mr. R.U.Dinesh Kumar
Additional Government Pleader for R2

**ORDER**

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order dated 18.10.2021 in Na.Ka.Va.A6/ 2069/ 2021 issued by the second respondent quash the same and consequentially, issue direction to the second respondent herein to consider afresh the petitioner application dated 12.08.2021.

2. The learned counsel for the petitioner would submit that the petitioner's mother namely, Rosali, was working as Cook in Noonmeal Centre under the Dr.M.G.R.Nutritious Meal Scheme at Thenvilapakkam Panchayat Union School and died in harness on 27.06.2021 leaving behind the petitioner with two sisters namely, Kowsalya and Subina along with the petitioner's father. Since the petitioner's sisters are already married and are residing in their matrimonial homes, the petitioner is the sole dependent of the petitioner's mother. In view of the financial condition of the petitioner's family, the petitioner submitted an application for appointment of Noonmeal Worker, vide application dated 12.08.2021. However, the said application was rejected on the ground that only a woman is entitled to get an appointment in terms of G.O. (Ms.) No.48, dated 18.08.2021.



3. However, the learned counsel appearing for the petitioner would submit that the very same G.O. was challenged before this Court in W.P.No.28231 of 2023, this Court, by order dated 26.06.2024, allowed the Writ Petition on the ground of Article 14 and discrimination among women candidates. As against the said order, the respondents have filed an appeal before this Court in W.A.No.3532 of 2024 and an interim order has been granted. In view of the above, this Court may close the Writ Petition by directing the respondents to consider the petitioner's claim for compassionate appointment to the post of Noonmeal Worker, subject to the result of the Writ Appeal, by granting compassionate appointment in favour of the petitioner. Accordingly, he prayed for appropriate orders.

4. The learned Special Government Pleader appearing for the respondents have no serious objection and that in the event the respondents lose the appeal before the Division Bench in W.A.No.3532 of 2024, the impugned order will be reconsidered strictly in terms of the judgment to be passed by the Division Bench and an appointment order will be issued to the petitioner based on the application submitted by the petitioner, by duly citing the order of the Division Bench of this Court.



5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials placed before this Court.

6. Considering the submission made by the learned counsel appearing on either side, this Writ Petition is disposed of, granting liberty to the petitioner to pursue the application based on the order to be passed by the Division Bench in W.A.No.3532 of 2024. The compassionate appointment will be considered with reference to the date of the petitioner's initial application, without insisting on any delay. There shall be no order as to costs.

01-12-2025

Index :Yes/No
Speaking/Non-speaking order
Internet :Yes
Neutral Citation :Yes/No

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To

1.The District Collector
Tiruvannamalai District.

2.The Commissioenr,
Panchayat Union, Chetpet,
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M. DHANDAPANI, J.

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