



W.P.(MD).No.1696 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD).No.1696 of 2025

M.Manoj Pandian

... Petitioner

-VS-

1. The District Collector,
Dindigul District,
Dindigul.

2. The District Planning Officer,
District Planning Office,
Dindigul District,
Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the second respondent vide proceedings in Na.Ka.No.1511/A1/2024 dated 19.11.2024 and quash the same as illegal and consequently to direct the respondents to provide employment to the petitioner on compassionate grounds based on the Educational qualification.

For Petitioner

: Mr.V.Deepak Siva
for

M/s.Muthu Kamatchi

For Respondents

: Mr.A.Baskaran

Additional Government Pleader



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ORDER

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The instant writ petition has been filed by the son of a deceased Noon Meal Organizer, challenging the order passed by the second respondent herein on 19.11.2024, wherein, the request of the petitioner for compassionate appointment has been rejected.

2. A perusal of the records reveal that the petitioner's mother who was working as Noon Meal Organizer had passed away, while in service on 26.05.2021, leaving behind her husband and this petitioner as her legal heirs. The petitioner made an application along with necessary documents on 30.10.2023, seeking compassionate appointment. The authorities relying upon the G.O.Ms.No.48, Social Welfare and Women Rights Department dated 18.08.2021, had rejected the request of the petitioner on the sole ground that Male heir of the deceased employee cannot be appointed as Noon Meal Organizer. This order is put to challenge in the present writ petition.

3. This Court passed an order dated 26.06.2024 in W.P.No.28231 of 2023, wherein, this Court has declared the clause which excluded the male legal heirs in G.O.Ms.No.48 as violative of Articles 14 and 16 of the



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Constitution of India and set aside the same. Therefore, as on today, the exclusion of Male legal heirs for being appointed as a Noon Meal Organizer is not legally sustainable.

4. In view of the above said facts, the order impugned in this writ petition is set aside, the matter is remitted back to the file of the second respondent herein with a direction to consider the request of the petitioner for compassionate appointment in the light of the judgement of the High Court and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition is allowed. No costs.

23.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

gvn

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The District Planning Officer,
District Planning Office,
Dindigul District,
Dindigul.

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