



W.P.(MD)No.13436 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

W.P.(MD)No.13436 of 2020

and

W.M.P.(MD) Nos.11214 and 11215 of 2020

P.Velliyammal

... Petitioner

vs.

- 1.The State of Tamil Nadu,
rep by its Secretary to Government,
Social Welfare and Nutrition Department,
Secretariat,
Chennai.
- 2.The Commissioner of Social Welfare,
O/o. Commissioner of Social Welfare,
Chennai -15.
- 3.The Project Director,
Integrated Child Development Department,
Tharamani,
Chennai -113.
- 4.The District Collector,
Pudukkottai District,
Pudukkottai.
- 5.The Personal Assistant (Noon Meal)
to District Collector,
Office of the Collectorate, Pudukkottai.



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6. The Commissioner,
Manamelkudi Panchayat Union,
Manamelkudi,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent (in the official website) vide his proceedings Se.Ve.No.587 dated 24.09.2020 and quash the same as illegal and consequently forbearing the respondents from filling up the posts of noon meal organizer and noon meal cook assistant in pursuant to the press release without publishing public notification notifying the vacancies and the communal roaster to be followed and consequentially to direct the respondents to issue public notification notifying the vacancies and communal roaster for recruitment to the posts of noon meal organizer and noon meal cook assistant and proceed with the recruitment process in conformity with Article 14 & 16 of the Constitution of India.

For Petitioner :Mr.Mohammed Zamil for
M/S.Ajmal Associates

For Respondents :Mr.P.Thambi Durai
Government Advocate

ORDER



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This Writ Petition has been filed with the following prayer:-

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“for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 4th respondent (in the official website) vide his proceedings Se.Ve.No.587 dated 24.09.2020 and quash the same as illegal and consequently forbearing the respondents from filling up the posts of noon meal organizer and noon meal cook assistant in pursuant to the press release without publishing public notification notifying the vacancies and the communal roster to be followed and consequentially to direct the respondents to issue public notification notifying the vacancies and communal roster for recruitment to the posts of noon meal organizer and noon meal cook assistant and proceed with the recruitment process in conformity with Article 14 & 16 of the Constitution of India.”

2.Heard Mr.Mohammed Zamil for M/S.Ajmal Associates, learned counsel for the petitioner and Mr.P.Thambi Durai, learned Government Advocate for the respondents.



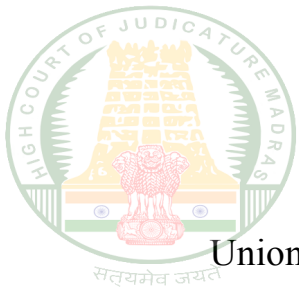
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3. The short facts of the case in a nut shell, led to filing of this Writ

Petition and necessary for disposal of the same, are as follows:-

The petitioner has completed SSLC in the year 2003. On 28.09.2020, the fourth respondent, without following the Government Order in G.O.Ms.No.44, Labour and Employment, dated 11.03.2015, in which, it has been categorically ordered that the reservation should have been indicated in the advertisement, had published the impugned Notification dated 24.09.2020 in Se.Ve.No.587, calling for applications from the candidates for the post of Noon Meal Organizer and Cook Assistants. It was further averred in the affidavit that there are no particulars about the reservation to be followed in the said Notification and also the Notification of vacancy itself has not been properly assessed and there are discrepancies in the recruitment process. Hence, the writ petition.

4. Mr.P.Tambidurai, learned Government Advocate for the respondents has produced a letter issued by the Commissioner, Panchayat



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Union, Manamelkudi dated 17.02.2025 in RCA7/3368/2020, annexing a copy of the order dated 22.10.2020 passed by the second respondent/the Commissioner of Social Welfare, Chennai, in which it has been clearly stated that all the actions relating to the recruitment process for the post of Noon Meal Organizers and Cook Assistants has been cancelled and the next selection process will be started after a fresh Notification is issued by the Government. Thus, the learned Government Advocate submits that there is no cause of action exist in the present writ petition and hence, the same is liable to be dismissed.

5. Mr.Mohammed Zamil, learned counsel for the petitioner submits that he has received a copy of the letter issued by the Commissioner, Panchayat Union, Manamelkudi dated 17.02.2025 in RCA7/3368/2020 and after perusal of the same, he submits that the writ petition may be dismissed at this stage with liberty to challenge the fresh notification, if any, in future, if he is aggrieved by the same.



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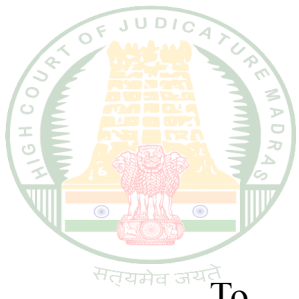
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6. Accordingly, after considering the arguments advanced by the learned counsels for the parties and after perusal of the order passed by the Commissioner, Panchayat Union, Manamelkudi dated 17.02.2025 in RCA7/3368/2020, annexing a copy of the order dated 22.10.2020 passed by the second respondent/the Commissioner of Social Welfare, Chennai, this Court is of the view that the relief sought for in the present writ petition cannot be granted to the petitioner at this stage, as the respondents have already cancelled the recruitment process for the post of Noon Meal Organizers and Cook Assistants.

7. Thus, the Writ Petition stands dismissed at this stage with liberty to the petitioner to challenge the fresh notification, if any, in future, if he is aggrieved by the same. The file is consigned to record. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
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27.02.2025



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SHAMIM AHMED, J.

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