

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.17249 of 2015

Tamil Nadu Food Safety Officers Association,
Rep. By its State General Secretary,
V.G.Prabakaran,
Son of Late V.S.Gajapathy,
No.17/19, Thiruneermalai Road,
Nagalkeni, Chrompet,
Chennai - 600 044.

... Petitioner

vs.

1.The Principal Secretary,
Health and Family Welfare Department,
Secretariat,
Fort St. George,
Madras - 600 009.

2.The Commissioner,
Tamil Nadu Food Safety and
Drug Administration Department,
DMS Campus, 5th Floor,
359, Anna Salai,
Teynampet, Chennai - 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the second respondent to conduct transfer counseling for the post of Food Safety Officer as per the proceedings of the first respondent in Letter No.21755/AB2/2013-1 dated 20.08.2013 by considering the representation of the petitioner dated 12.02.2015.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

O R D E R

Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the respondents.

2.By consent of both parties, the writ petition is taken up for final disposal.

3.The grievance of the petitioner is that though the first respondent issued a proceeding in Letter No.21755/AB2/2013-1 dated 20.08.2013 to effect transfer by conducting counseling, no counseling is conducted in the case of Food Safety Officers. Hence, the petitioner Association made a representation dated 12.02.2015 to the second respondent to conduct counseling and to effect transfer in the case of Food Safety Officers. Now, the writ petition is filed seeking a direction to the second respondent to conduct transfer counseling for the post of Food Safety Officer as per the proceedings of the first respondent in Letter No.21755/AB2/2013-1 dated 20.08.2013 by considering the representation of the petitioner dated 12.02.2015.

4.The learned counsel for the petitioner has submitted that the petitioner would be satisfied if a direction is issued to the second respondent to consider and dispose of the representation of the petitioner dated 12.02.2015, in the light of the proceeding of the first respondent in Letter No.21755/AB2/2013-1 dated 20.08.2013.

5.In these facts and circumstances of the case, the writ petition is disposed of with a direction to the second respondent to consider and dispose of the representation of the petitioner dated 12.02.2015 in the light of the proceeding of the first respondent in Letter No.21755/AB2/2013-1 dated 20.08.2013, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

jbm

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary,
Health and Family Welfare Department,
Secretariat,
Fort St. George,
Madras - 600 009.

2.The Commissioner,
Tamil Nadu Food Safety and
Drug Administration Department,
DMS Campus, 5th Floor,
359, Anna Salai,
Teynampet, Chennai - 600 006.

+ 1 cc to Mr.R.Jayaprakash, Advocate SR 29559

+ 1 cc to Mr.V.Jayaprakash Narayanan, Spl.Govt.Pleader, High Court,
Madras SR 29660

+ 1 cc to the Govt.Pleader, High Court, Madras SR 29820

jsv(co)
prk19/6

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