

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.25005 of 2015

Tmt.N.Yamuna Devi

... Petitioner

Vs.

1.The Government of Tamil Nadu
represented by its Secretary,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai - 600 003.

3.The Zonal Officer,
Zone-5, Corporation of Chennai,
Royapuram, Chennai - 600 021.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to promote the petitioner as Senior Entomologist with effect from 01.06.2013 with all monetary and other attendant benefits.

For Petitioner : Mr.K.Raja

For Respondents : Mr.R.Vijayakumar,

Additional Government Pleader - R1
Mr.S.Saravanan (R2 & R3)

O R D E R

By consent, this Writ Petition itself is taken up for final disposal.

2.The petitioner possess M.Sc. (Zoology) and M.Ed. and initially she was appointed as Steno-typist on 21.03.1998, since she was not having the requisite qualification. Thereafter, on 02.05.2005, she was promoted as Entomological Assistant and re-designated as Junior Entomologist and according to the petitioner, she has put in unblemished service. It is further stated that one Mr.Balakrishnan, reached the age of superannuation on 31.05.2013 and as a result of which, the said post became vacant with effect from 01.06.2013. Apart from his retirement, Tmt.Kalai Amudha was

also promoted as Senior Vector Control Officer. Therefore, two vacancies arose in the post of Senior Entomologist. It is the claim of the petitioner that the said posts have not been filled up, though she is eligible for promotion to the said post and in this regard, she has repeatedly submitted representations dated 18.02.2015, 19.02.2015, 26.06.2015, 17.07.2015 and lastly on 27.07.2015. Since no orders have been passed, the petitioner has filed the present Writ Petition.

3.The learned counsel for the petitioner would submit that the petitioner possess the requisite qualification and also not suffered any adverse remarks, she is entitled to the post of Senior Entomologist and prays for promotion.

4.Mr.R.Vijayakumar, the learned Additional Government Pleader, who accepts notice on behalf of the 1st respondent would submit that a proposal is forwarded by the respondents 2 & 3 to the Government and is pending with the Government for passing orders.

5.Heard the submissions of the learned counsel appearing for the petitioner, Mr.R.Vijayakumar, the learned Additional Government Pleader, who accepts notice on behalf of the 1st respondent and Mr.S.Saravanan, learned counsel, who accepts notice on behalf of the respondents 2 & 3.

6.Though the petitioner has prayed for larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to act on the proposal forwarded by the respondents 2 & 3 with regard to the promotion of the petitioner to the post of Senior Entomologist, in accordance with law and pass orders as expeditiously as possible and not less than ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Government of Tamil Nadu
represented by its Secretary,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai - 600 003.

3.The Zonal Officer,
Zone-5, Corporation of Chennai,
Royapuram, Chennai - 600 021.

1 cc to Mr.K.Raja, Advocate Sr.No.42491
1 cc to Government Pleader.Sr.No.42927
1 cc to Mr.S.Saravanan , Advocate Sr.No.42587

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ggk (Co)
pmk.11.9.2015



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