

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27520 of 2015

1.

V.Subbaiah

...Petitioner

- Vs -

1. The Commissioner,
Food Safety and Drug Administration,
359, Anna Salai,
Chennai - 02.
2. The Director of Municipal Administration,
Ezhilagam,
Chepauk, Chennai - 5.

...Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to pass appropriate order on the petitioner representation dated 01.11.2014 for considering his name for food safety officer as per the proposal of 1st respondent dated 05.08.2011.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.S.Gunasekaran
Government Advocate

सत्यमेव जयते
O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner has entered the Municipal Service as Sanitary Inspector and subsequently he was given additional charge of Food Inspector from the year 2001 onwards and he would claim that he served to the satisfaction of his superior officers. It is further stated by the petitioner that he was falsely implicated in a criminal case in Cr.No.04/2009 and consequently, he was placed under

suspension and subsequently it was revoked based on an order passed by this Court in W.P.No.34379 of 2014. The petitioner would further state that the Food Safety and Standards Act, 2006 came into being and the Food and Drug Administration Committee has recommended to create 199 post of Food Safety Officers in urban areas including Municipalities / Corporations. Based on which, the first respondent has invited list of candidates to fill up the post of Food Safety Officers. It is claimed by the petitioner that he has undergone training for Food Inspectors at King Institute, Guindy from 2001 onwards. Therefore, he made a representation dated 01.11.2014, to the first respondent praying for his absorption as Food Safety Officer in the existing vacancies. The grievance of the petitioner is that though the receipt of the representation has been acknowledged, no orders has been passed and hence he has come forward to file this writ petition.

3. Heard the submissions of Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2.

4. This Court taking into consideration the limited scope of the prayer sought for by the petitioner, without going into the merits of the same, permits the petitioner to submit one more representation by enclosing a copy of this order along with the earlier representation dated 01.11.2014 to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall consider and pass orders on merits and in accordance with law, within a period of eight weeks thereafter and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

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सत्यमेव जयते
Sub Assistant Registrar

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To

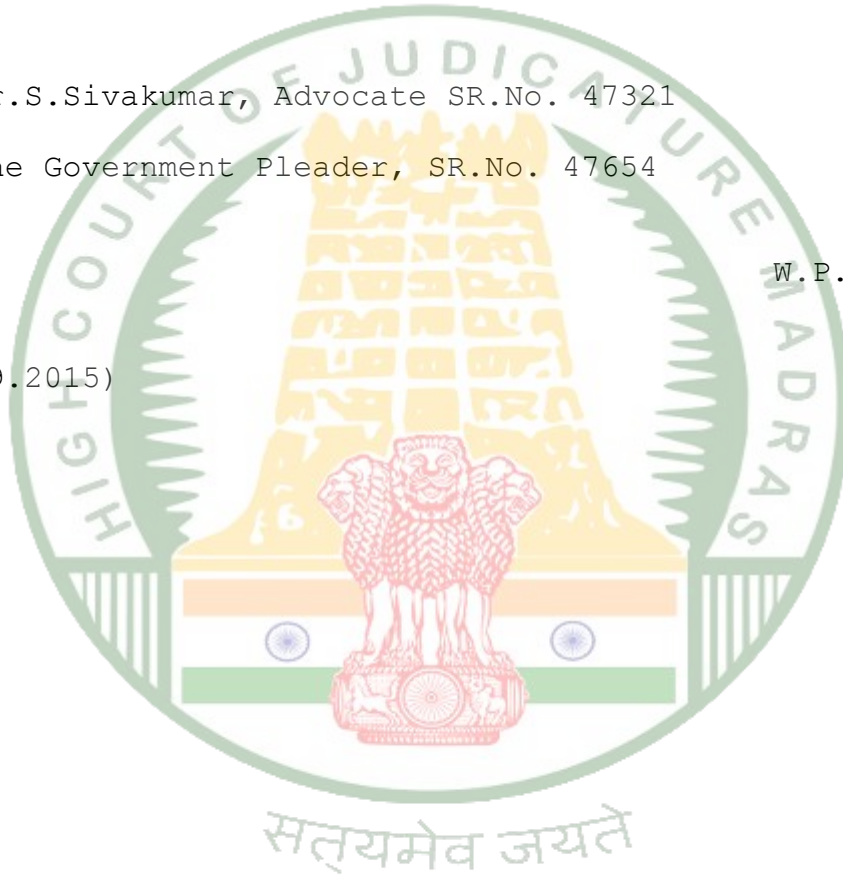
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1 CC to Mr.S.Sivakumar, Advocate SR.No. 47321

1 CC to the Government Pleader, SR.No. 47654

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GR (CO)
PSI (21.09.2015)



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