

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31371/2015

R.Maheshkumar Lingan

..Petitioner

Versus

1. The Director of Public Health and Preventive Medicine,  
Chepauk,  
Chennai - 600 006.
2. The Commissioner of Municipal Administration,  
Chepauk,  
Chennai - 600 005.
3. The Commissioner of Employment and Training,  
Guindy, Chennai-600 032.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to consider and pass order on the petitioner representation dated 20.01.2014 in regard to appointment of Sanitary Inspector Gr.II in the existing vacancies available in the municipalities in the light of the G.O.Ms.No.305 Public Health and Family Welfare (No.1) Department dated 22.09.2008 within a stipulated time as fixed by this Court.

For Petitioner : Mr.V.Thirupathi

For Respondents : Mr.V.Subbiah,  
Spl.GP

ORDER

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

2. The petitioner would state that he has passed Higher Secondary Course in the year 1991 and also passed Sanitary Inspectors Diploma Examination conducted by the All India Institute of Local Self-Government, Bombay and was issued with a Diploma Certificate dated 21.08.1993 and also registered his name in the Employment Exchange, Mettur Dam, vide Registration No.4307/89 and renewing the same periodically. It is further stated that the 3<sup>rd</sup> respondent has sponsored his name for appointment as Health Inspector Grade-II in Tamilnadu Public Health Service under the 1<sup>st</sup> respondent Department and accordingly a call letter dated 16.12.2010 was also sent to the

petitioner calling upon him to produce original certificates for verification and accordingly, the petitioner attended the certificate verification on 30.12.2010; but was not given appointment and no reasons have been assigned also. Once again, the petitioner was called for interview on 05.08.2011 for the post of Sanitary Inspector and he has attended the interview and produced all the required certificates and once again, no appointment order has been given. It is the claim of the petitioner that persons who are similarly placed, have been given relaxation of Rule 5[b][iii] of the Public Health Subordinate Service Rule as per G.O.Ms.No.305, Public Health and Family Welfare [No.1] Department dated 22.09.2008 and therefore, he is entitled to the benefit of the said Government order. In this regard, the petitioner submitted a representation dated 20.01.2014 to the higher official praying for extending the benefit of the above said Government Order and give him an order of appointment and since no orders have been passed, the petitioner came forward to file this writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. Though the petitioner, has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the 2<sup>nd</sup> respondent within a period of two weeks from the date of receipt of a copy of this order, by enclosing a copy of this order as well as the copy of the earlier representation and the 2<sup>nd</sup> respondent, on receipt of the same, is directed to consider the said representation in accordance with law within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs.

AP

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub-Assistant Registrar

To

1. The Director of Public Health and  
Preventive Medicine,  
Chepauk,  
Chennai - 600 006.

2. The Commissioner of Municipal Administration,  
Chepauk,  
Chennai - 600 005.

3. The Commissioner of Employment and Training,  
Guindy, Chennai-600 032.

+1 C.C. To MR.V.Tirupathi, Counsel for the petitioner in  
SR.NO.54171 of 2015

+1 C.C. To Government Pleader in SR.NO.54374

W.P.No.31371/2015

VGI (CO)  
sd : 20/10/2015



WEB COPY