

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2015

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.14429 of 2012

Professional Social Workers' Association (PSWA)
rep by President
Office C/o.MACT

.. Petitioner

vs.

1. The Government of Tamil Nadu
rep by its Secretary
Department of Health and Family Welfare
Fort St. George
Chennai
2. The Director
Directorate of Medical Education
Kilpauk, Chennai - 600 010
3. The Director
Institute of Mental Health
Kilpauk, Chennai - 600 010

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to cancel the appointment of the unqualified persons to the post of Social Welfare Officers and fill up the vacancies with qualified persons in the government hospitals and institutions in the state of Tamil Nadu.

For petitioner : No Appearance

For respondents : Mr.P.Chinnadurai
Government Advocate

O R D E R

There is no representation for the petitioner. Heard the learned Government Advocate appearing for the respondents.

2. This writ petition has been filed praying that this Court may be pleased to issue a Writ of Mandamus directing the respondents to cancel the appointment of all the unqualified persons, who have been appointed to the post of Social Welfare Officer, and to fill up the vacancies with qualified persons in the Government Hospitals and in other Institutions in the State of Tamil Nadu.

3. The learned Government Advocate appearing for the respondents had submitted that during the year, 2010, certain appointments had been made for the post of Social Workers and such appointments had been made as per the ad hoc Rules, which were applicable to such appointments. All the selected candidates were fully qualified for such appointments. He had further submitted that no appointment had been made for the post of Social Welfare Officer for the past 20 years. Therefore, there is no merit in the writ petition filed by the petitioner Association.

4. In view of the averments made in the affidavit filed in support of the writ petition and in view of the submissions made by the learned Government Advocate appearing for the respondents, this Court is of the considered view that the present writ petition is devoid of merits. No specific averments had been made pointing out that certain unqualified persons had been posted as Social Welfare Officers. Further, no records had been placed before this Court to substantiate the claims of the petitioner Association that unqualified persons had been appointed as Social Welfare Officers in Government Hospitals and in other Institutions in the state of Tamil Nadu. Even otherwise, such an omnibus prayer cannot be entertained by this Court, under Article 226 of the Constitution of India. Hence, the writ petition stands dismissed. No costs. Connected M.P.No.1 of 2012 is closed.

sd/
ASSISTANT REGISTRAR (J)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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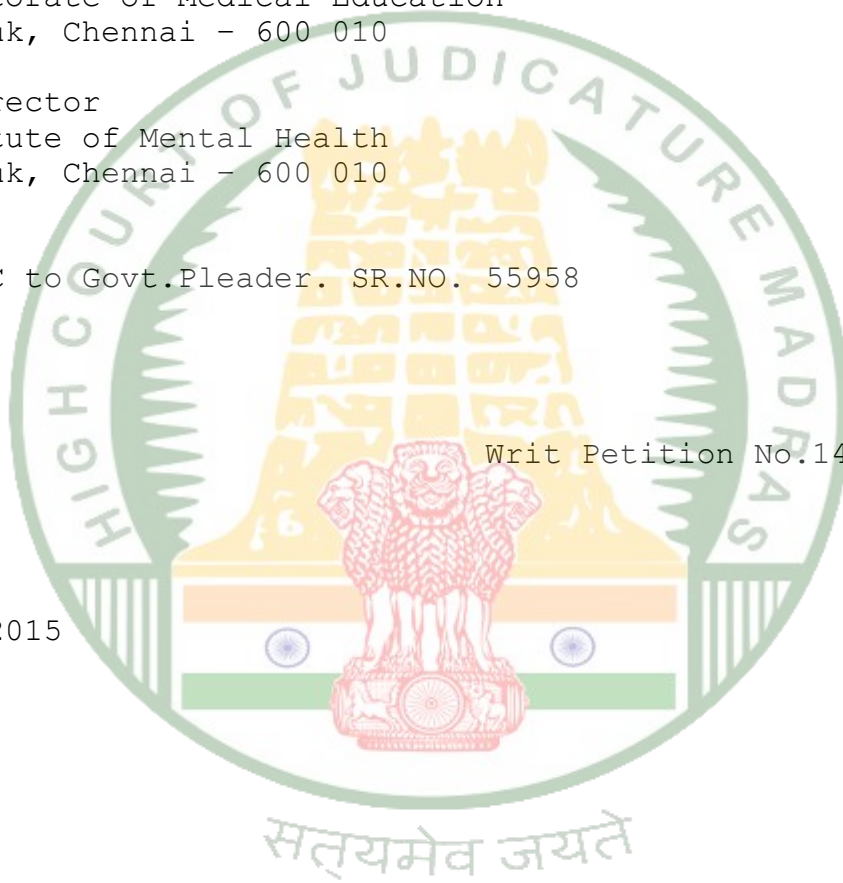
To:

1. The Secretary,
The Government of Tamil Nadu
rep by its Secretary
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+1 CC to Govt.Pleader. SR.NO. 55958

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CO-TM
JD 16/11/2015



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