

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.21535 of 2016
and
W.M.P.No.18406 of 2016

Vee.Saravanan

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. by its Principal Secretary to Government
Health & Family Welfare Department
Secretariat
Fort St.George,
Chennai-600 009.

2. The Commissioner of Food Safety
Tamil Nadu Food Safety & Drugs
Administration Department
DMS Compound, Teynampet
Chennai-600 006.

.... Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner to the post of Food Safety Officer in Tamil Nadu Food Safety and Drugs Administration Department by considering his eligibility and seniority of the petitioner in the post of Sanitary Inspector/Food Inspector by passing orders on the proposal forwarded by Director of Municipal Administration in ROC No.31462/2014/J1, dated 18.12.2015, within a time frame to be fixed by this Court and to pass such further orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.A.Kumar
Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner to the post of Food Safety Officer in Tamil Nadu Food Safety and Drugs Administration Department by considering his eligibility and seniority of the petitioner in the post of Sanitary Inspector/Food Inspector by passing orders on the proposal forwarded by Director of Municipal Administration in ROC No.31462/2014/J1, dated 18.12.2015, within a time frame.

3. The petitioner entered into service as Sanitary Inspector, on 26.08.1989, in Municipal Service. The petitioner has submitted a representation, on 28.09.2015, seeking to appoint him in the post of Food Safety Officer. On 18.12.2015, the Director of Municipal Administration has forwarded a proposal to the 2nd respondent for appointment of the petitioner as Food Safety Officer, on deputation, by forwarding the willingness letter submitted by the petitioner. But, inspite of the same, there was no response and hence, the present Writ Petition has been filed.

4. Mr.G.Sankaran, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if his representation, dated 28.09.2015, is directed to be considered by the 2nd respondent, in the light of the proposal forwarded to him by the Director of Municipal Administration, on 18.12.2015, and appropriate orders are passed.

5. Mr.A.Kumar, the learned Special Government Pleader, who takes notice on behalf of the respondents, has got no serious objection in issuing the direction as sought for by the learned counsel for the petitioner.

6. Considering the above submissions, this Court, without going into the merits of the claim made by the petitioner, directs the 2nd respondent to consider the representation of the petitioner, dated 28.09.2015, and pass appropriate orders, on merits and in accordance with law, in the light of the proposal forwarded to him by the Director of Municipal Administration, on 18.12.2015, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

paa

To

1. The Principal Secretary to Government
State of Tamil Nadu
Health & Family Welfare Department
Secretariat
Fort St.George,
Chennai-600 009.
2. The Commissioner of Food Safety
Tamil Nadu Food Safety & Drugs
Administration Department
DMS Compound, Teynampet
Chennai-600 006.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.35097
+1cc to the Government Pleader, S.R.No.35154

W.P.No.21535 of 2016

MSM(CO)
CA(14/07/2016)

सत्यमेव जयते

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