

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.8073 and 8074 of 2016
& WMP Nos.7184 and 7185 of 2016 in W.P.No.8073 of 2016
& WMP Nos.7186 and 7187 of 2016 in W.P.No.8074 of 2016

N.Sivakumar ... Petitioner in W.P.No.8073/2016
P.Ganesan ... Petitioner in W.P.No.8074/2016

Vs.

1. The Secretary to the Government
Social Welfare Department and
Nutritious Meal Programme
Secretariat
Chennai 10
 2. The Director
Department of Social Defence
300, Puraisawalkam High Road
Kellys, Chennai 2
- ... Respondents in both W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, after calling for the entire records relating to impugned notification published in website dated NIL by the 2nd respondent in connection with the appointment of District Child Protection Officer (Contractual basis) and quash the same as illegal, untenable, arbitrary, nullity and non-est in law and direct the respondents to prepare a panel list for the newly created post of District Child Protection Officer and further directing the respondents to consider the petitioners for promotion for newly created post of District Child Protection Officer on merits and accordance with law.

For Petitioner : Mr.J.Venkatraman
in both W.Ps.

For Respondents : Mr.S.Gunasekaran,
in both W.Ps. Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioners and Mr.S.Gunasekaran, learned Additional Government Pleader, who took notice for the respondents and with their consent, the main writ petitions are taken up for hearing.

2. The petitioner Mr.N.Sivakumar joined service as a Probation Officer through direct recruitment in the year 2009 and he was further given additional charges as District Child Protection Officer in Theni District. The petitioner P.Ganesan joined service as Junior Assistant and thereafter promoted as Probation Officer in 2008. Further, they have undergone various training for the post of District Child Protection Officer. The respondent issued the impugned Notification dated 31.12.2015, inviting applications for 32 posts of District Child Protection Officer, on contractual basis. The Government also issued G.O.Ms.No.25 dated 22.2.2016 for creation of post of District Child Protection Officer in all 32 districts of Tamil Nadu in the time scale of pay. It is the grievance of the petitioners that they should be considered for promotion for the newly created post of District Child Protection Officers.

3. On going through the materials available on record, it seems that the petitioners have not given the requisite qualification for appointment to the post of District Child Protection Officers. Further, it is not clear whether the petitioners have possessed the required qualification. Therefore, this Court is not able to entertain the Writ Petitions. Accordingly, the Writ Petitions fail and the same are dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

ajr

To

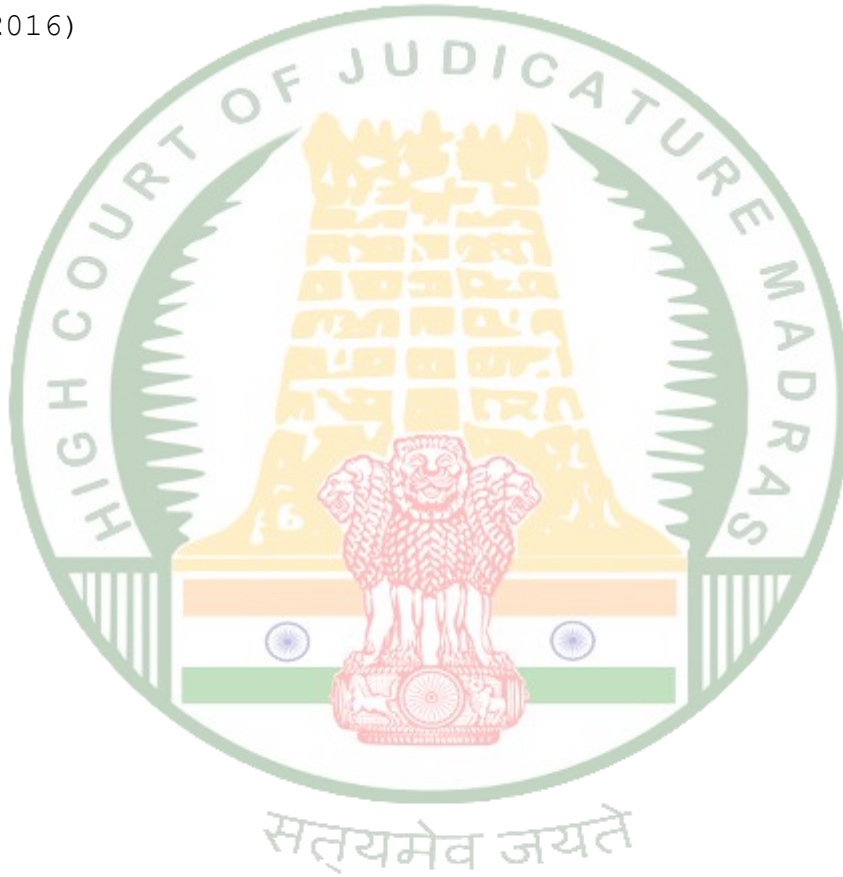
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Secretariat, Chennai 10

2. The Director
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+lcc to the Government Pleader, S.R.No.14287

W.P.Nos.8073 and 8074 of 2016

SCD(CO)
CA(18/03/2016)



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