

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-02-2018
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2438 of 2018
and
W.M.P. Nos.2956 and 2957 of 2018

C.Gopinath

.. Petitioner

-vs-

1.The Commissioner of Food Safety and
Drug Administration,
Chennai-600 006.

2.The Designated Officer,
Food Safety and Drug Administration,
Dharmapuri.

3.The Director of Town Panchayats,
Chennai.

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent relating to the impugned order in Pro.R.No.10716/2017/S1/FSSA dated 12.12.2017, quash the same and issue consequential directions to the first respondent to permit the petitioner to continue as Food Safety Officer in the Dharmapuri Municipality i.e., the present station with back wages and regularising the period from 15.12.2017 onwards till rejoining duty as 'duty' i.e., compulsory wait for passing orders and also to sanction the leave applied for from 24.11.2017 onwards.

For Petitioner - Mr.D.Baskar

For Respondents - Mr.V.Jayaprakash Narayanan,
Special Government Pleader.

ORDER

The writ petition has been directed against the impugned order dated 12.12.2017, in and by which, the Commissioner of Food Safety and Drug Administration has relieved the petitioner to his parent Department of Town Panchayat on 15.12.2017, citing very many reasons.

2. The first reason is that the petitioner was absent from duty since 24.11.2017, without proper permission and not even responding to the phone calls or mail and moreover, the second respondent in his letter dated 4.12.2017 informed that duties of the petitioner are also not satisfactory for the past three months. When the petitioner was relieved with a direction to go back to his parent Department of Town Panchayat and with a further direction to hand over charges of the post of Food Safety Officer, Dharmapuri Municipality, Dharmapuri District to the Food Safety Officer, as per instructions of the Designated Officer, this Court hardly finds any ground to interfere with the impugned order of the first respondent.

3. Secondly, the petitioner was brought from the post of Sanitary Inspector in the parent department. After finding him not satisfactory in the post of Food Safety Officer, he was sent back to the same post. Therefore, the contention of the petitioner for reverting him to his parent Department amounts to reduction in rank, is wholly unacceptable.

4. For the reasons stated above, this writ petition fails and it is accordingly dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

svn

To

1.The Commissioner of Food Safety and
Drug Administration,
Chennai-600 006.

2.The Designated Officer,
Food Safety and Drug Administration,
Dharmapuri.

3.The Director of Town Panchayats, Chennai.

+1cc to Mr.R.Thamaraiselvan, Advocate, S.R.No.8851

+1cc to the Government Pleader, S.R.No.9003

W.P.No.2438 of 2018

RRK(28/02/2018)