

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28378 of 2017

and

W.M.P.Nos.30476 and 30477 of 2017

E.Bagyalakshmi

...Petitioner

vs

- 1.The Director cum Mission Director,
Integrated Child Development Service Scheme,
No.1, Pamma Nallathambi Street,
Taramani, Chennai - 600 113.
- 2.The Director of Social Welfare,
T.V.K.Industrial Estate,
Guindy, Chennai - 600 032.
- 3.The District Program Officer,
Integrated Child Development Service Scheme,
Collectorate, Krishnagiri District.
- 4.V.Munirathinamma,
S.No.22, Supervisor Grade-II,
Integrated Child Development Service Scheme,
Kaveripattinam Block, Kaveripattinam,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned promotion list published in Se.Mu.Na.Ka.No.29650/Nir3(2)/2016 dated 10.07.2017 issued by the 2nd respondent herein for the promotional post of Supervisor Grade-II/Rural Welfare Officer and quash the same as being illegal, arbitrary, unconstitutional and consequently direct the 3rd respondent to forward the petitioner name for the post of Supervisor Grade-II/Rural Welfare Officer and thereafter, the 2nd respondent shall appoint the petitioner in the Supervisor Grade-II/Rural Welfare Officer.

For Petitioner : M/s.T.Sundaravadanam

For Respondents : M/s.A.Shrijayanthi,
Special Government Pleader
for R1 to R3

Mr.K.Prem Kumar
for Mr.R.Krishnamoorthy for R4

O R D E R

The promotion list published by the 2nd respondent in proceedings dated 10.07.2017 is under challenge in this writ petition.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner was appointed as Child Welfare Organizer on 01.07.1982 by the Commissioner, Panchayat Union, Thalli, Krishnagiri District. The writ petitioner is fully qualified for promotion to the post of Superintendent Grade II, Rural Welfare Officer.

3.The learned counsel for the writ petitioner further states that in spite of the fact that the writ petitioner is fully qualified for promotion to the post of Superintendent Grade II, Rural Welfare Officer, her case was not considered in the panel of the year 2017. However, the learned counsel for the writ petitioner fairly submitted that the said panel became lapsed and the respondents have prepared another panel on 14.06.2018. In the said panel, the name of the writ petitioner has not included, on account of the fact that the present writ petition filed by the petitioner is pending. Mere pendency of a writ petition is not a ground to defer the name of the writ petitioner for inclusion of her name in the panel of names for promotion to the post of Superintendent, Rural Welfare officer. Thus, the case of the writ petitioner is also to be considered along with other eligible candidates in accordance with the rules in force. The case of the writ petitioner is to be considered, if she is otherwise qualified in accordance with the rules in force.

4.This being the factum in respect of the relief as such sought for in the writ petition, the panel list dated 10.07.2017 became lapsed. However, the name of the writ petitioner shall be considered in the panel, which is prepared on 14.06.2018 and if the petitioner is otherwise qualified and eligible, the respondents are directed to consider the name of the writ

petitioner on par with other similarly placed persons and by following the rules in force.

5. With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Director cum Mission Director,
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Integrated Child Development Service Scheme,
Kaveripattinam Block, Kaveripattinam,
Krishnagiri District.

+1cc to Mr.T.Sundaravadanam, Advocate Sr.69839
+1cc to Mr.R.Krishnamoorthy, Advocate Sr.69984
+1cc to the Government Pleader Sr.70149

W.P.No.28378 of 2017

srg 24/10/2018