

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.18368 of 2010

P.R.Jayakannan
Petitioner

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Vs

1.The State of Tamil Nadu
rep. by Secretary
Health and Family Welfare Department
Chennai-9

2.The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai-3

3.S.Navaneetha Krishnan

4.M.S.Renuka

5.R.Ramakrishnan

6.S.Padmanabhan
Respondents

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Prayer:- This Writ Petition is filed, under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records pertaining to the order dated 12.10.2009 passed by the 2nd respondent letter No.f.W.& M.C.H.C.No.F12/29478/2009 and quash the same and consequently promote the petitioner to the post of Deputy Communication Officer, Corporation of Chennai, with all backwages from 18.02.2009.

For Petitioner : Mr.J.Parthasarathy for
Mr.B.Manimaran

For Respondents : Mr.B.Anand, Government
Advocate for R1
Mr.T.C.Gopalakrishnan for R2
Mr.P.Seshadri for R3

No appearance for R4 to R6.

ORDER

The writ petitioner studied Post Graduate in Social Work on Sociology of Community Development and qualified with diploma in Health Education or Population Education.

2. The petitioner is working under the 2nd respondent as Field Worker. Since for more than 25 years, the petitioner has not been given any promotion, he has given representations to the 2nd respondent to consider his name for promotion.

3. According to the petitioner, his representation dated 07.03.1995 to the respondents did not show any response, hence, he has filed W.P.No.15118 of 2009 seeking direction to the respondents to consider his representation. This court directed the respondents to consider his representation for promotion to the post of Deputy Communication Officer.

4. The Commissioner of Corporation of Chennai, District Family Welfare Bureau, on receipt of the order of this court in W.P.15118 of 2009, passed order on the representation of the petitioner and that in the Memorandum dated 12.10.2009, it has been stated that though the petitioner is senior by appointment, he cannot be considered for the promotional post as he does not possess the preferred qualification of Journalism and Mass communication.

5. Further, in the above Memorandum dated 12.10.2009, it has been stated that the second respondent would send proposal to Government to alter the rules for taking Computer Cum Clerk as Feeder Category for Deputy Communication Officer which post insisted on a specified preferential qualification and service requirement.

6. In the light of the above factors, this court does not find any ground to interfere with the order of the 2nd respondent dated 12.10.2009. Accordingly, the writ petition stands dismissed. No costs.

nvsri

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary
Health and Family Welfare Department
Chennai-9

2.The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai-3

+1cc to Mr.T.C.Gopalakrishnan , Advocate SR.No. 90211

+1 cc to Government Pleader Sr.No. 91146

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A.SK(22/01/2020)



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