

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.17109 of 2019

and

W.M.P.No.16670 of 2019

La.Maria Rosali,
W/o.Kanikairaj,
Kalukondapalli Village,
Belakondapalli Post,
Denkanikottai Taluk,
Krishnagiri District.

... Petitioner

-vs-

1.The Director cum Mission Director,
Integrated Child Development Service Scheme,
No.1, Pammal Nallathambi Street,
Taramani, Chennai-600 113.

2.The Director of Social Welfare,
No.1, Jeenis Road, 2nd Floor,
Panagal Maligai, Saidapet,
Chennai-600 015.

3.The District Program Officer,
Integrated Child Development
Service Scheme,
Collectorate, Krishnagiri District.

.. Respondents

Petition under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus directing the 1st and
2nd respondents to include the petitioners name in the present
promotion panel dated 14.05.2019 for the post of Supervisor
Grade-II/Rural Welfare Officer prepared by the 2nd respondent.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Ms.A.Srijayanthi,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to include the petitioner's name in the present promotion panel dated 14.05.2019, for the post of Supervisor Grade-II/Rural Welfare Officer prepared by the 2nd respondent.

2. Heard Mr.T.Sundaravadanam, learned counsel for the petitioner and Ms.A.Srijayanthi, learned Additional Government Pleader for the respondents.

3. By consent, this writ petition is taken up for final disposal.

4. It is the case of the petitioner that she was appointed as a Child Welfare Organizer in the year 1982. Thereafter, she has passed out her 10th Standard and was selected for the post of Child Welfare Organizer and passed all qualifying tests for the department training program. It is further submitted that in the year 2017, she was placed in the 2nd position for the promotion panel for the post of Supervisor Grade-II, Rural Welfare Officer. The petitioner was under the presumption that she will be promoted to the said post. However, when the final promotion list was published on 10.07.2017, the petitioner's name was not found in the seniority list. Thereby, the petitioner made a representation on 12.07.2019 to the 2nd respondent to consider her name in the promotion panel for the post of Supervisor Grader-II, Welfare Officer. Till date, the representation was not considered by the 2nd respondent. Hence, the present writ petition.

5. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 12.07.2016, within a stipulated time frame.

6. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner was suspended from service on 12.04.2005 on a criminal complaint given by a co-worker.

7. The learned counsel for the petitioner would submit that the criminal case was ended in acquittal on 13.03.2012, and the same has become final, as no appeal was preferred.

8. Considering the limited prayer sought for by the petitioner and without going into the merits of the case, this

Court directs the 2nd respondent to consider the petitioner's representation dated 12.07.2019 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks' from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Director cum Mission Director,
Integrated Child Development Service Scheme,
No.1, Pammal Nallathambi Street,
Taramani, Chennai-600 113.
2. The Director of Social Welfare,
No.1, Jeenis Road, 2nd Floor,
Panagal Maligai, Saidapet,
Chennai-600 015.
3. The District Program Officer,
Integrated Child Development Service Scheme,
Collectorate, Krishnagiri District.

+1 cc to M/s.Sundaravadanam, Advocate Sr.No. 85632
+1 cc to The Government Pleader Sr.No.85621

AKM/14.11.19/3P-6C /

W.P.No.17109 of 2019

WEB COPY