



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2019

CORAM:

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

W.P.(MD) No.25600 of 2019 and

WMP(MD) No.22172 of 2019

WEB COPY

P.Parvatham

... Petitioner

Vs

1. The State of Tamil Nadu  
Represented by its Secretary to Government  
Social Welfare and Nutritious Meal Programme (SW-1) Department  
Secretariat, Fort St.George  
Chennai - 600 009.
  2. The Commissioner /Director of Social Welfare  
Commissionerate of Social Welfare  
II Floor, Panagal Building  
Saidapet  
Chennai - 600 015
  3. The Principal Secretary/Special Commissioner  
Integrated Child Development Programme  
Tharamani  
Chennai - 600 113
- ... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 herein to promote the petitioner as Child Development Project Officer (C.D.P.O) notionally with effect from 18.11.2002 by taking into account of the petitioner's initial appointment as 'Community Nutritious Instructor'(CNI) on 09.06.1988 instead of 07.01.2008 on par with her juniors by placing her name in the temporary seniority list for regularization of Child Development Project Officer (C.D.P.O) post issued by the 1<sup>st</sup> respondent in G.O.(Ms) No.24, Social Welfare and Nutritious Meal Programme Department, dated 06.06.2019 in Sl.No.117 (2002-2003) instead of Sl.No.294 (2004-2005) and consequently promote the petitioner as 'Assistant Director/District Programme Officer' notionally w.e.f 11.12.2015 on par with the Petitioner's juniors in the light of her educational qualification viz, B.Sc., (Home Science), M.A., (Child Care and Education), M.Phil., (Education) and confer all monetary benefits.

For Petitioner : M/s.S.Bharathy Kannan  
For Respondents : Mr.R.Sethuraman,  
Special Government Pleader



**O R D E R**

This Writ Petition is filed to direct the respondents 1 & 2 to promote the petitioner as Child Development Officer notionally with effect from 18.11.2002, taking into account G.O.(MS) No.24, Social Welfare and Nutritious Meal Programme Department dated 06.06.2019 and consequently promote the petitioner as 'Assistant Director/District Programme Officer' with effect from 11.12.2015 on par with her educational qualification and confer all monetary benefits.

2. Mr.R.Sethuraman, learned Special Government Pleader, takes notice on behalf of the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard both sides and perused the materials available on record. It is seen from the records that since the petitioner's representation dated 20.07.2019 sent to the first respondent seeking the relief of promotion on par with her juniors and in the line of her educational qualifications was not considered in time, the present Writ petition has been filed. Though, the prayer sought for by the petitioner is for a direction to the respondents to promote the petitioner notionally on par with her juniors, this Court is of the view that it is for the first respondent to consider certain aspects and pass appropriate orders for the representation given by the petitioner on 20.07.2019.

4.Considering the nature of relief sought for in the Writ Petition, this Court directs the respondents to consider the representation of the petitioner dated 20.07.2019, on merits and pass appropriate orders, in accordance with law, within a period of atleast three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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TO

1. The Secretary to Government  
Social Welfare and Nutritious Meal Programme (SW-1) Department  
Secretariat, Fort St.George  
Chennai - 600 009.

2. The Commissioner /Director of Social Welfare  
Commissionerate of Social Welfare  
II Floor, Panagal Building  
Saidapet  
Chennai - 600 015

3. The Principal Secretary/Special Commissioner  
Integrated Child Development Programme  
Tharamani  
Chennai - 600 113

+1 cc Mr.S.BHARATHY KANNAN ,Advocate, SR.No.102949

+1cc to M/s.Special Government Pleader,SR.No.103101

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**02.12.2019**

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