



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.NO.15596 OF 2020
AND W.M.P.NO.19449 OF 2020

B.Arun

...Petitioner

Vs.

1. The Commissioner of Industrial Safety and Health,
T.S.No.47/1, Thiru Vi Ka Industrial Estate,
Guindy, Chennai - 600 032.

2. The Director of Employment and Training,
Chennai - 600 032.

3. The District Employment Officer,
Tiruvallur.

...Respondents

Prayer:

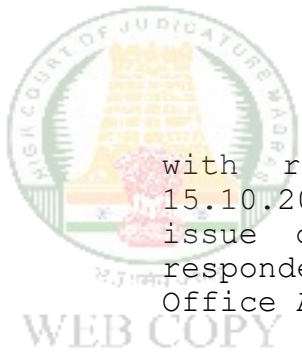
Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, directing the 1st respondent to issue directions to his subordinate officers to consider the petitioner's candidature for Office Assistant with reference to their notification No.1 of 2019 dated 15.10.2019 under priority category and quash the same and to issue directions to the 2nd respondent to instruct the 3rd respondent to sponsor the petitioner's name for appointment as Office Assistant under priority category.

For Petitioner : Mr.M.Ravi

For Respondents: Mr.M.Bindran
Additional Government Pleader

O R D E R

This writ petition has been filed seeking direction to the 1st respondent to issue directions to his sub-ordinate officers to consider the petitioner's candidature for Office Assistant



with reference to their notification No.1 of 2019 dated 15.10.2019 under priority category and quash the same and to issue directions to the 2nd respondent to instruct the 3rd respondent to sponsor the petitioner's name for appointment as Office Assistant under priority category.

2. According to the learned counsel for the petitioner, the petitioner is challenging the notification issued by the 1st respondent in No.1 of 2019 dated 15.10.2019 and the petitioner's name has not been sponsored for the post of Office Assistant under priority category by the District Employment Exchange, Tiruvallur.

3. The counter has been filed by the learned Government Pleader on behalf of the respondents, wherein, the Government had issued orders vide G.O.Ms.No.248 Finance (CMPC) Department dated 20.05.2020 on creating a ban on new posts in Government Departments and considering the prevailing situation of Covid-19 Pandemic in the State and need to regulate expenditure on emoluments. Therefore, the Government directed that, there shall be a total ban on creation of new posts, recruitment against existing vacant entry level posts including through compassionate ground appointment shall continue with the approval of the staff committee, promotions and recruitment by transfer shall continue as per existing procedure. Further, stated that the Commissioner of Industrial Safety and Health has not communicated to the Government vide letter dated 04.06.2020 seeking permission for getting approval from the staff committee for filling up the sanctioned posts. Insofar, no reply has been received to the aforesaid communication and the Government informed that, due to the prevailing Covid-19 pandemic situation and the expenses of the Government, the Government rejected the said proposal of the 1st respondent.

4. The learned Additional Government Pleader would submit that the respondents shall consider the petitioner's request under priority category, if any notification issued for filling up the vacancies.

5. By taking into note of the statement made in the counter affidavit, the prayer sought for in this writ petition cannot be entertained and it is for the concerned authority to consider the request of the petitioner to sponsor his name if it is permissible under law.



6. With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ata/dua

To

1. The Commissioner,
Industrial Safety and Health,
T.S.No.47/1, Thiru Vi Ka Industrial Estate,
Guindy, Chennai - 600 032.
2. The Director of Employment and Training,
Chennai - 600 032.
3. The District Employment Officer,
Tiruvallur.

+1cc to the Government Pleader, S.R.No.25528

W.P.No.15596 of 2020

PMK(CO)
PM/27/04/2022