



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.17166 of 2010
and M.P.No.1 of 2010

1. K.V.Thirumal,
Sanitary Inspector,
Coimbatore Corporation,
Coimbatore.
2. R.Ramachandran,
Sanitary Inspector,
Coimbatore Corporation,
Coimbatore.
3. M.Nagaraj,
Sanitary Inspector,
Alandur Municipality
Alandur.

...Petitioners

-Vs-

1. The Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai-600 009.
2. The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-600 009.
3. The Director of Public Health and Preventive Medicine,
DMS Campus, Chennai-600 006.
4. The Director of Municipal Administration,
Chepauk, Chennai-600 005.
5. The Commissioner,
Corporation of Coimbatore,
Coimbatore.

...Respondents



Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st and 2nd respondents to implement the Government of India Scheme Jawaharlal Nehru National Urban Renewal Mission and appoint the qualified M.Sc Environmental Science and Management those who are appointed from the post of Sanitary Inspectors and create permanent post in the Municipality and Corporation of Environmental Officer.

For Petitioners : Mr.V.Stalin
For Respondents : Mrs.E.Renganayaki,
Additional Government Pleader -
for R1 to R4
Mr.S.Saravanan - for R5

O R D E R

The petitioners who are working as Sanitary Inspectors in the 4th respondent Corporation has filed this Writ Petition to direct the 1st and 2nd respondent to implement the Government of India Scheme namely Jawaharlal Nehru National Urban Renewal Mission and appoint the qualified M.Sc Environmental Science and Management candidates from the post of Sanitary Inspectors by creating permanent post in the Municipality and Corporation of that of the Environmental Officer.

2. The counter affidavit has been filed by the 5th respondent, in which, in Paragraph 6, it is mentioned that already the 4th respondent Corporation has passed Resolution No.56 dated 14.07.2009 to implement the Scheme and also to appoint the Executive Engineers as Environmental Officers and the said resolution has been approved by the Government of Tamil Nadu vide G.O.No.(2D).No.129 dated 18.12.2009 and by proceedings dated 22.01.2010, the Executive Engineers of the Jawaharlal Nehru National Urban Renewal Mission Scheme were transferred and posted as Environmental Officers.

3. In that view of the matter, the prayer in the Writ Petition in the nature of Mandamus has now become infructuous. But, however, it will be open for the petitioners either to challenge the above Government Order and the consequential order, or in the alternate, make a fresh representation to the respondents, in case, if they are requesting for any amendment of rules or challenging the feeder category, as the same is within the realm of the policy decision of the respondents.



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4. With the above observations, this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Anu

To

1. The Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai-600 009.
2. The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai-600 009.
3. The Director of Public Health and Preventive Medicine,
DMS Campus, Chennai-600 006.
4. The Director of Municipal Administration,
Chepauk, Chennai-600 005.
5. The Commissioner,
Corporation of Coimbatore,
Coimbatore.

+1 CC to M/s. Row and Reddy, Advocate sr 25537.

+1 CC to The Government Pleader sr 25471

+1 CC to Mr.S.Saravanan, Advocate sr 25062.

W.P.No.17166 of 2010

PM(CO)

SP(29/04/2022)