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W.P.No.33144 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.33144 of 2015
and M.P.Nos.2 and 3 of 2015
and W.M.P.Nos.9475 and 33683 of 2017

P.Chandira

... Petitioner

-Vs-

1. The Chief Secretary of the Hon'ble
Chief Minister,
The Chairman of the "Kalpana Chawla Award",
St.George Fort,
Secretariat, Chennai-9.
2. The Secretary to Home Minister,
The Chairman of "Padma Award and Asoka Chakkra Award",
North Block, New Delhi.
3. The State represented by the
Secretary,
Home Department, St.George Fort,
Secretariat,
Chennai-9.
4. The State represented by the
Secretary,
Public Department,
St.George Fort, Secretariat,
Chennai-9.



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5. The Secretary, Highways and
Minor Ports Department,
Secretariat, Chennai-9.

6. The Director (General),
Highways, Chepauk, Chennai-5.

7. Ponni

8. The District Collector, Cuddalore.

9. The State represented by the Secretary,
Personnel and AR,
Secretariat, Chennai-9.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the representations submitted by the petitioner to the respondents, the resolution process passed by the first respondent regarding the selection of Kalpana Chawla Award 2007, 2012, 2014 and consequent G.O.No.712 Dated 13.08.2012 and G.O.No.741 Dated 14.08.2014 issued by the fourth respondent and the selection list published by the second respondent regarding Padma Award 2012-13 and 2014-15 and Asokka Chakkra Award 2012-13 and quash the proceedings and consequently grant the above awards to the petitioner and direct the fifth respondent to consider the petitioner for meritorious promotion as Divisional Engineer and grant the monetary benefits to the petitioner as Assistant Divisional Engineer with effect from 17.06.2002 as loss to Government money proved through Vigilance Department in W.P.No.26463 of 2001 and consequently cancel the illegal proceedings subsequently initiated by the respondents.



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For Petitioner : No appearance
For R1, R3 to R6 : Mr.V.Veluchamy
R8, R9 : Additional Government Pleader
For R2 : Mr.G.Ilangovan, CGSC
For R7 : Mr.C.Amudhan

ORDER

This writ petition has been filed calling for the records relating to the representations submitted by the petitioner to the respondents, the resolution process passed by the first respondent regarding the selection of Kalpana Chawla Award 2007, 2012, 2014 and consequent G.O.No.712 Dated 13.08.2012 and G.O.No.741 Dated 14.08.2014 issued by the fourth respondent and the selection list published by the second respondent regarding Padma Award 2012-13 and 2014-15 and Asokka Chakkra Award 2012-13 and quash the proceedings and consequently grant the above awards to the petitioner and direct the fifth respondent to consider the petitioner for meritorious promotion as Divisional Engineer and grant the monetary benefits to the petitioner as Assistant Divisional Engineer with effect from 17.06.2002 as loss to Government money proved through Vigilance Department in W.P.No.26463 of 2001 and consequently cancel the illegal proceedings subsequently initiated by the respondents.



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WEB COPY 2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

3. The petitioner had joined as Assistant Engineer in the Highways Department, in the year 1998. Thereafter, she submitted an application for grant of “Asoka Chakra Award” and “Kalpana Chawla Award” for courage and bravery. The petitioner had already filed a writ petition in W.P.No.25115 of 2012 before this Court challenging the order dated 24.08.2012 passed by the State, Public Department, Protocall, St.George, Secretariat, Chennai-9, to grant Kalpana Chawla Award and Asoka Chakra Award and the same was listed today as Item No.19 and it was dismissed finding no infirmity or illegality in the order passed by the fourth respondent therein and rejected the claim of the petitioner.

4. A perusal of the counter filed by the respondents 1, 4, 5, 6 and 8 revealed that complaints were received even in the year 2000, she having been joined the Department in the year 1998, alleging that the petitioner misused the Government Revenue generated through auction of wind-fallen trees by not remitting the amount into treasury at the appropriate time. The charges came to



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be framed against her. She was transferred from Chidambaram and she did not

join in the transferred place, but approached the Administrative Tribunal.

Finally, on the orders passed by this Court, she was kept on compulsory wait period from 14.03.2001 to 23.11.2001 and 04.03.2002 to 15.03.2002.

5. Though several contentions were raised by the petitioner and it has been dealt with by the respondents in their counter, since the petitioner challenges the selection process of the various Awards viz., Kalpana Chawla Award, Asoka Chakra Award and Padma Award in this writ petition, suffice it to say that the grant of an Award by the State Government or Central Government cannot be a matter of right of an individual. Further, grant of an Award is being carried out by the respective Governments to encourage the courage and bravery act of an individual, the Government servant who performs his/her official sincerely with integrity and devotion. In the instance stated by the respondent in their counter including the allegations levelled against the petitioner which had ended in imposition of punishment, clearly shows that the representation of the petitioner for grant of awarding was rightly not considered by the Selection Committee.



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6. Therefore, this Court finds no infirmity or illegality in the impugned orders passed by the respective respondents and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed. No costs.

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Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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To

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2. The Secretary to Home Minister,
The Chairman of “Padma Award and Asoka Chakkra Award”,
North Block, New Delhi.
3. The Secretary,
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Secretariat,
Chennai-9.
4. The Secretary,
Public Department,
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