



WEB COPY



WP.No.27439 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.27439 of 2023

V.P.Vijaya Lakshmi

.. Petitioner

Versus

Commissioner of Labour
Teynampet
Chennai – 600 006

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings in E2/7697/202-11 dated 25.08.2023 issued by the respondent, quash the same and direct the respondent to include the petitioner's name in the approved list of Assistant Inspector of Labour fit for promotion as Deputy Inspectors of Labour for the year 2022-2023 published in Proceedings No.E2/7697/2023-2 dated 25.08.2023.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the proceedings in E2/7697/202-11 dated 25.08.2023 issued by the respondent, quash the same and direct the respondent to include the petitioner's name in the approved list of Assistant Inspector of Labour fit for promotion as Deputy Inspectors of



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Labour for the year 2022-2023 published in Proceedings No.E2/7697/2023-2

dated 25.08.2023.

2. It is the grievance of the writ petitioner that the petitioner is working as Assistant Inspector of Labour. However, her name has not been included in the panel of the Assistant Inspector Labour for the purpose of promotion to the post of Deputy Inspector of Labour for the year 2022-2023. The petitioner has been non suited mainly on the ground that they have not acquired the prescribed the educational qualification and not undergone the basic training course at Ranchi.

3. It is the contention that she is working as Assistant Inspector of Labour and also Legal Metrology Officer. Such being the position, the qualification stipulated will not apply to the petitioner. In this regard, the learned counsel has brought to the notice of this Court that vide Order made in W.P.Nos.5813, 5814 & 7942 of 2022, this Court, when the issue came up with similarly situated persons had analysed the entire rule position and held that the persons working as Legal Metrology Officer, they are also entitled for promotion. Such view of the matter, the petitioner is also similarly situated persons and the interpretation made in the W.P.Nos.5813, 5814 & 7942 of



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2022 is squarely applicable to the petitioner's case also. Accordingly, there shall be a direction to the respondent to include the petitioner in the panel for the year 2022-2023. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this Order.

4. In view of the above, this writ petition stands disposed of. No costs.

20.09.2023

dhk

Index: Yes/No

Internet: Yes/No

To

The Commissioner of Labour
Teynampet
Chennai – 600 006



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N.SATHISH KUMAR, J.

dhk

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