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W.P.No.6556 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

Writ Petition No.6556 of 2013
and MP.No.2 of 2013

D. Devaki

... Petitioner

Vs.

1. State of Tamil Nadu

Rep.by

The Secretary to Government

(Home) Police Department

Secretariat, Chennai 600 009.

2. The Director

Forensic Sciences Department,

Chennai 600 004.

3. V. Geethalakshmi

Scientific Officer

(re-designated as Assistant Director)

Forensic Sciences Department

Chennai 600 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for he records pertaining to the order passed by the 2nd respondent in her Proceedings Se.Mu.Aa.No.A1/33278/2011 dated 21.03.2011 and quash the



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same and direct the respondents to fill up the post of Scientific Officer/Assistant Director in Computer Forensic Division by considering the persons including the petitioner who have got qualification of Master Degree in the computer field.

For Petitioner : Mr.V.Sivalingam for
M/s.C.S.Associates

For Respondents : Mr.C.Selvaraj
Addl.Government Pleader

ORDER

This writ petition has been filed, seeking to call for the records pertaining to the order passed by the 2nd respondent in her Proceedings Se.Mu.Aa.No.A1/33278/2011 dated 21.03.2011 and quash the same and direct the respondents to fill up the post of Scientific Officer/Assistant Director in Computer Forensic Division by considering the persons including the petitioner who have got qualification of Master Degree in the computer field.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the petitioner has already been promoted as Scientific Officer and also drew



the attention of this Court to the counter affidavit dated 05.02.2014 filed on behalf of the respondents and the relevant paragraphs are extracted as below:-

9. It is submitted that the petitioner earlier represented to promote her as Scientific Officer, as she possess Master Degree in Computer Application obtained through Distance Education. As per existing Special Rules for the Tamil Nadu Forensic Science Service, the post of Scientific Officer can be filled up by appointment of the eligible Scientific Assistants Grade-I by recruitment by transfer in the Tamil Nadu Forensic Science Subordinate Service. This request of the petitioner was not considered as she is junior to many other serving Scientific Assistants Grade-I. The third respondent Viz., Tmt.V.Geethalakshmi, is already serving as Scientific Officer in the Forensic Sciences Department and she was posted as Scientific Officer in the Computer Forensic Unit, for administrative reasons. the petitioner subsequently filed a Writ Petition (No.11707/2012) before this Hon'ble Court and the same was disposed of on 25.07.2012 with a direction to consider her request and issue orders within three months. accordingly, the first respondent, after considering the petitioner's representation informed her in Government Letter No.50791/:Police.XVIII/2012-2, Home Department, dated 14.11.2012, that her request would be considered when vacancy arises. aggrieved by the same, the petitioner has now prayed to quash the order of posting of respondent -3 viz., Tmt.V.Geethalakshmi, vide Proceedings No.A1/33278/2011, dated 21.03.2011 (copy enclosed) and to promote and post her in the Computer Forensic Division as Scientific Officer.

10. It is submitted that the Government in G.O.(4D) No.91, Home Department, dated 27.08.2013, has appointed 29 Scientific



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Assistants Grade I as Scientific Officers by recruitment b transfer, including the petitioner. The petitioner has been posted in the Mobile Forensic Science Laboratory, Nagappattinam District as Scientific Officer in the existing vacancy.

3. From the above, it is clear that pending the writ petition, the petitioner has been promoted as Scientific Officer with effect from 27.08.2013 and therefore nothing survives for further adjudication in this writ petition. Accordingly, the writ petition stand dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

24.01.2024

dpq

Index : Yes/No

Speaking Order : Yes/No



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To:

1. The Secretary to Government
(Home) Police Department
Secretariat, Chennai 600 009.
2. The Director
Forensic Sciences Department,
Chennai 600 004.
3. The Scientific Officer
(re-designated as Assistant Director)
Forensic Sciences Department
Chennai 600 004.



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J. SATHYA NARAYANA PRASAD, J.

dpq

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