

# S.Albert Arulraj vs The Secretary To Government on 12 September, 2022

**Author: S.M. Subramaniam**

**Bench: S.M.Subramaniam**

W.P.No.27

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.27606 of 2016  
and  
W.M.P.No.23783 of 2016

1.S.Albert Arulraj  
2.M.Kumar  
3.H.Ramachandran  
4.T.Jaganathan  
5.R.Manikandan  
6.R.Ramamoorthy  
7.R.Murugan  
8.G.Ramesh  
9.M.B.Senthil Ramkumar  
10.E.Krishnan  
11.T.Ayyappan  
12.N.Venkatachalam  
13.T.Ravimohan  
14.R.Venkatesh

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Vs.

1.The Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Fort St. George,  
Chennai 600 009.

2.The Director of Public Health and Preventive Medicine,  
359, Anna Salai,  
Chennai 600 006.

3.The Commissioner,  
Food Safety and Drug Administration Department,  
Chennai 600 006.

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<https://www.mhc.tn.gov.in/judis>

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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to issue orders to issue Certificate for Food Inspector Training completed by petitioners prior to 05.08.2011 and consequently directing the 3rd respondent to appoint the petitioner to the post of Food Safety Officer par with their juniors on advent of Food Safety and Standard Act 2008 on 05.08.2011 with all consequential and other attendant benefits as per the Government Letter No.28698/M1/2014-2 dated 02.06.2015 and subsequent reminder in Letter No.32122/M1/2015-1 dated 05.11.2015 issued by the 1st respondent dated 02.02.2015.

For Petitioners : Mr.G.Sankaran

For Respondents : Mr.B.Vijay  
Additional Government Pleader

#### ORDER

The learned counsel for the petitioners made a submission that during the pendency of the writ petition, the competent authorities issued the Food Inspector Training Certificate to some of the writ petitioners and in respect of other writ petitioners, if they are otherwise eligible, their cases are also to be considered regarding appointment.

2. The authorities are bound to follow the procedures as contemplated under the Acts and Rules, in the event of commencing <https://www.mhc.tn.gov.in/judis> process of recruitment. However, the appointment cannot be claimed as a matter of right and it is to be considered in accordance with the rules in force.

3. With these observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

12.09.2022 Jeni Index : Yes Speaking order : Yes To

1.The Secretary to Government, Health and Family Welfare Department, Secretariat, Fort St. George, Chennai 600 009.

2.The Director of Public Health and Preventive Medicine, 359, Anna Salai, Chennai 600 006.

3.The Commissioner, Food Safety and Drug Administration Department, Chennai 600 006.

<https://www.mhc.tn.gov.in/judis> S.M. SUBRAMANIAM, J.

Jeni 12.09.2022 <https://www.mhc.tn.gov.in/judis>