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WP No. 26209 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

CORAM

THE HONOURABLE MR.JUSTICE T. VINOD KUMAR

**WP No. 26209 of 2019 &
WMP.Nos.25584,25582 of 2019**

Two Years Diploma Medical
Laboratory Technician Association Rep
by its Secretary Mr. N. Nivas
Chakravarthy No 23/27- A Jhansi Rani
Street NH-3, Maraimalai Nagar
Kancheepuram District- 603209

Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep by its Secretary to Government
Health and Family Welfare Department
Fort.st.George, chennai-9

2.The Director of Medical Education
Directorate of Medical Education 162
EVR Periyar Salai Kilpauk chennai-10

3.The Director of Medical and Rural
Health Services Medical and Rural
Health Services 361 DMS Complex
Anna salai, Chennai-6



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4.The Director of Public Health and
Preventive Medicine 7th Floor DMS
Building 359 Anna salai Teynampet
chennai-6

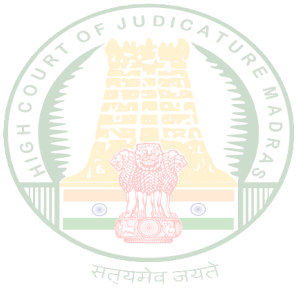
5.The Medical Services Recruitment
Board, rep by its chairman 7th Floor
DMS building 359, Anna salai
Teynampet chennai-6

6.G.Venkatesan
2/4 Ayyalu Nayakar street
Murugapakkam Tindivanam
Villupuram- 604001

7.A.Malar Vizhi
254- L2, Indarani Nagar Narasothipatty
Reddiyir Salem- 636004

Respondent(s)

PRAYER Writ Petition filed under Art.226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the letter having REF.NO 61395/E5/2/2019 dated 5.8.19 by the 2nd Respondent to the 4th Respondent and quash the same and consequently direct the 5th Respondent to fill up the existing vacant posts of lab technician grade- II by Direct Recruitment pursuant to notification dated 31.1.16 HAVING ref.no 8/MRB/2016 as per the Procedure set out in the Tamil Nadu Medical Subordinate service by giving preference to the candidates possessing Diploma in Medical laboratory technology course of two years duration conducted by the King Institute of Preventive Medicine or from any other Institutions recognized by the Govt of Tamil Nadu for this Purpose as per the decision of the Division Bench of Madurai Bench of this Hon'ble court in WP(MD) NO 68/2010 dated 8.2.10



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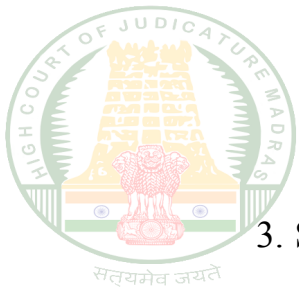
For Petitioner(s): Mrs. C.Uma

For Respondent(s): Mr. E. Sundaram GA
for R1 to R4
Mr. L.Murugavel f or R-5

ORDER

Heard Mrs.C.Uma, learned counsel for the petitioner, Mr.E.Sundaram, learned Govt. Advocate appearing for the respondents 1 to 4 and Mr.L.Murugavel, learned counsel appearing for the 5th respondent and perused the records.

2. By the present writ petition, the petitioner had sought for the relief of directing the 5th respondent to fill up the existing vacant posts of Lab Technician Grade-II by direct recruitment pursuant to notification dated 31.01.2016 as per the procedure set out in the Tamil Nadu Medical Subordinate Service by giving preference to candidates possessing Diploma in Medical Laboratory Technology Course of two years duration conducted by the King Institute of Preventive Medicine or from any other institutions recognised by the Govt. of Tamilnadu for this purpose as per the decision of the Hon'ble Division Bench of Madurai Bench of this Court in W.P.(MD).No.68 of 2010, dated 08.02.2010.



3. Separate counter affidavits on behalf of the respondents 1 to 4 and 5th

respondent are filed. The 5th respondent, in paragraph 11 of the counter affidavit filed, had stated as under:

'11. It is submitted that as per the rules governing the post of Laboratory Technician Grade-II, only in the absence of eligible candidates with Diploma in Medical Laboratory Technology (DMLT) qualification, the Candidates with Certificate course in Medical Laboratory Technology (CMLT) can be considered for the post. It is humbly submitted that the candidates called for certificate verification and provisionally selected were with possession of Diploma in Medical Laboratory Technology (DMLT) qualification for the 524 vacancies notified in Notification No.8/MRB/2016 dated 31.01.2016. In view of the above, the prayer to give preference for candidates with Diploma in Medical Laboratory Technology (DMLT) qualification has become infructuous.

4. Learned counsel appearing on behalf of the 5th respondent submits that all the 524 vacancies notified vide notification dated 31.01.2016 have been



filled up with candidates possessing diploma in Medical Laboratory

Technology (DMLT) qualification and as such, the grievance of the petitioner

has already been addressed and thus, the cause in the present writ petition does

not survive for consideration and the writ petition has become infructuous.

5. The respondents 1 to 4, by a common counter affidavit filed, have also taken the same stand except minor variation with regard to number of vacancies which have been filled up with candidates having two year diploma in Medical Laboratory Technology (DMLT) qualification.

6. In view of the categorical assertions made by the respondents by the counter affidavits filed into this court of all the vacancies notified under Notification dated 31.01.2016 having been filled up with candidates who had pursued two year Diploma in Medical Laboratory Technology, the relief sought for by the petitioner through this court has already been achieved and as such, the grievance of the petitioner has been duly redressed.



7. In view of the above, the Writ Petition is closed. No costs.

Consequently, the connected miscellaneous petitions are closed.

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02-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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