

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HON'BLE **MR.JUSTICE R.MAHADEVAN**

Writ Petition No. 15028 of 2015

P.Kamaleeswari

..Petitioner

-Vs-

1.The Government of Tamil Nadu
rep. by its Secretary
Medical and Health Department
Fort St.George
Chennai-9.

2.The Director
Medical Service Recruitment Board
7th Floor, DMS Building
359, Anna Salai
Chennai-600 006.

3.The Deputy Director of Medical Rural Health Services
and Family Welfare
District Family Welfare Bureau 2
Maraisoosai Nagar
Beach Road
Cuddalore-1.

4.The District Employment Officer
The District Employment Office
Cuddalore
Cuddalore District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus, directing the fourth respondent
to consider the representation of the petitioner dated 06.05.2015 by

recommending the petitioner to the post of Lab Technician under MBC Female Non-Priority category and consequently, direct respondents 1 to 3 to appoint the petitioner herein as a Lab Technician under respondents 2 and 3 by considering her seniority in the Employment Exchange.

For petitioner : Mr.R.Gopinath

For respondents : Mr.M.S.Ramesh

Additional Government Pleader

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. According to the petitioner, she had completed Diploma in Laboratory Technician from Maharani College of Lab Technology, Chennai, in the year 2002 and she had enrolled herself with the District Employment Office on 05.01.1998. She had periodically renewed her educational qualification. According to the petitioner, the seniority list for the post of Laboratory Technician is w.e.f. 09.10.2003. While so, the Medical Department vide advertisement dated 28.04.2015 in local dailies called for eligible candidates to fill 1256 vacant post - 676 vacant post of Lab Technician and 580 vacant post of Drivers. The said post was decided to be filled up from the Employment Exchange as per the seniority in the Employment

Exchange. The grievance of the petitioner is that she is fully qualified to be appointed as Lab Technician as per the Notification, inspite of the same, though, she had registered her name with District Employment Office as early as in the year 1998 itself, she had not been called for any vacancy till date. The petitioner has submitted a written representation to the fourth respondent dated 06.05.2015 seeking to relax the age criteria and to recommend her name for the post of Lab Technician, but, till date, there is no response and hence, the petitioner has come forward to file the present Writ Petition.

3. Mr.D.Veerasekaran, learned counsel appearing for the petitioner would submit that even though, the petitioner is fully qualified and eligible to be appointed as a Lab Technician, the fourth respondent has not considered the representation of the petitioner till date inspite of her repeated requests.

4. Mr.M.S.Ramesh, learned Additional Government Pleader appearing for the respondents would submit that necessary and appropriate direction may be issued to the fourth respondent to pass orders as expeditiously as possible.

5. This Court taking into consideration of the fact that for the post of Lab Technician under MBC Female Non-priority category, the petitioner has submitted her representation to the fourth respondent on 06.05.2015 and the same is yet to be considered, without going into the merits of the contention put forward by the learned counsel appearing for the petitioner, is inclined to dispose of the Writ Petition, by directing the fourth respondent to consider the representation of the petitioner dated 06.05.2015 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and thereafter, communicate the decision taken to the petitioner. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. There is no order as to costs.

paa

21.05.2015

Index: Yes/No

Internet:Yes/no

To

- 1.The Secretary
Government of Tamil Nadu
Medical and Health Department
Fort St.George
Chennai-9.
- 2.The Director
Medical Service Recruitment Board
7th Floor, DMS Building
359, Anna Salai
Chennai-600 006.
- 3.The Deputy Director of Medical Rural Health Services
and Family Welfare
District Family Welfare Bureau 2
Maraisoosai Nagar
Beach Road
Cuddalore-1.
- 4.The District Employment Officer
The District Employment Office
Cuddalore
Cuddalore District.

R.MAHADEVAN,J

paa

W.P.No.15028 of 2015

21.05.2015

21.05.2015