

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.26410 of 2014 &
M.P.No. 1 of 2014

Dr.Malathy V.K.

.. Petitioner

Vs.

1 Employees State Insurance Corporation
Panchthi Bhavan,
CIG Road New Delhi
Rep by Assistant Director (MA)

2 The Medical Superintendent
Employees State Insurance Corporation
ESIC College, Coimbatore

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the respondents to observe the petitioner in the post of Assistant Professor in Ophthalmology of the 2nd respondent college.

For Petitioner : Mr. G.T.Subramanian

For Respondents : Mr.C.V.Ramachandramurthy

O R D E R

The petitioner was a candidate for appointment to the post of Assistant Professor in Ophthalmology. Her application was pursuant to the notification issued by the Employees State Insurance Corporation. The petitioner attended the interview on 08.5.2014. The appointment order was sent by email. However, she failed to receive Email and as a result, she could not join duty. The petitioner now seeks a writ of mandamus directing the second respondent to appoint her, pursuant to the interview conducted on 08.5.2014.

2. The order dated 03.7.2014 on the file of the first respondent indicated that the petitioner was appointed as Assistant Professor in Ophthalmology at ESIC Medical College, Coimbatore. According to the petitioner, she was not permitted to join duty.

3. The question as to whether the petitioner should be permitted to join duty at this point of time is an issue to be decided by the second respondent.

4. The second respondent is directed to consider and dispose of the representation dated 24.7.2014 taking into account the appointment order dated 03.7.2014 issued by the first respondent. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to forward a copy of the appointment order and representation to the second respondent so as to enable the said authority to take a decision as expeditiously as possible.

6. The writ petition is disposed of with the above direction. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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1 Employees State Insurance Corporation
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CIG Road New Delhi
Rep by Assistant Director (MA)

2 The Medical Superintendent
Employees State Insurance Corporation
ESIC College
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