



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2016

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WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD) .No.14389 of 2015

S.Vinayaga Moorthy

.. Petitioner

Vs.

1.The Secretary to Government,
Health Department, Secretariat,
Chennai - 600 009.

2.The Director of Medical Education,
Directorate of Medical Education,
Keelpauk, Chennai - 600 010. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent i.e. the Secretary to Government, Health Department, Chennai to dispose off the petitioner's appeal dated 27.05.2015 regarding transfer and appointment of petitioner as Librarian Grade-I in any one of the Government Medical Colleges on merits and in accordance with law within a time specified by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.R.Anandharaj
Government Advocate

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus directing the first respondent viz., the Secretary to Government, Health Department, Chennai to dispose off the petitioner's appeal dated 27.05.2015 regarding transfer and appointment of petitioner as Librarian Grade-I in any one of the Government Medical Colleges on merits and in accordance with law within a time specified by this Court.

2.Heard the learned counsel appearing on either side.

<https://hcservices.courts.gov.in/hcservices/>
3.The petitioner joined as Lab Technician Grade-II on 02.07.1992 and was promoted Grade-I on 07.02.2001. While he was



serving as Lab Technician Grade-I, the second respondent invited applications for recruitment to the post of Librarian Grade-I in the Government Medical Colleges for the years 2010-2011; 2011-2012 and 2012-2013 from the service candidates serving in the Government hospitals, both from the ministerial and technician service by transfer. As the petitioner was also qualified for the post of Lab Technician Grade-I, he sent application through proper channel with relevant particulars, but he was not selected for the above post. However, many of the juniors were appointed as Librarian. Therefore, a representation was made to the second respondent on 30.09.2013, for considering his request, on par with his junior, who was appointed as Librarian Grade-I, for appointment, in any one of the medical colleges according to the qualification of the petitioner. Since that did not revoke any response, the petitioner has come up with this writ petition seeking a direction to the respondent to dispose of his appeal, dated 27.05.2015.

4.Considering the grievance of the petitioner, this Court, without going into the merits of the claim of the petitioner, directs the first respondent viz., the Secretary to Government, Health Department, Chennai to dispose off the petitioner's appeal dated 27.05.2015 regarding transfer and appointment of petitioner as Librarian Grade-I in any one of the Government Medical Colleges and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

5.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

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To

1.The Secretary to Government,
Health Department, Secretariat,
Chennai - 600 009.

2.The Director of Medical Education,
Directorate of Medical Education,
Keelpauk, Chennai - 600 010.

+1CC to Mr.S.Visvalingam Advocate Sr.No.12322
GJM/NGM/SS/29.3.16-2p-4C