



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

AND

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**W.P. [MD] .No.2478 of 2015**

Gopi Priyan Pasumai Trust,
rep. by the Managing Trustee,
R.Pushpalakshmi.

.. Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by its Principal Secretary,
Department of Public Health and Family
Welfare, Secretariat,
St. George Fort,
Chennai -9.

2.The Director,
Medical Education,
No.162, EVR Periyar Salai,
Kilpauk, Chennai -10.

3.The Director,
Medical and Rural Health Services,
3rd Floor, Anna Salai, Teynampet West,
Near Fire Services,
Chennai -6.

4.The Dean,
Theni Medical College,
K.Vilaku, Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to ensure that the posts of Clinical and Non-Clinical Teaching posts sanctioned to the Theni Medical College as per the G.O.Ms.No.404, dated 03.12.2004 (Health and Family Welfare Department) are filled up and file a report before this Court within a stipulated time.

For Petitioner

: Mr.T.Lajapathi Roy

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents

: Mr.M.Govindan,
Special Government Pleader

**O R D E R**

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation seeking a direction to the respondents to ensure that the posts of Clinical and Non-Clinical Teaching Posts sanctioned to the Theni Medical College, as per the G.O.Ms.No.404, dated 03.12.2004 (Health and Family Welfare Department), are filled up and file a report before this Court within a stipulated time.

2.We have heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.In the counter affidavit filed by the 4th respondent in paragraph No.4, it is stated as follows;

"4.It is submitted that there is no vacancy available as alleged by the writ petitioner. All the posts were occupied by the outsourcing agencies namely Padmavathy Agencies. Now, there are 313 persons employed from the outsourcing agencies, in which 29 persons were employed a security, 18 persons were employed as Supervisor and 264 persons were employed as House Keeper and there is a post of one Manager."

4.In view of the said stand taken by the respondents, nothing survives for adjudication in this matter and the relief sought for by the petitioner has become infructuous. Hence, this Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary,
Department of Public Health and Family
Welfare, Secretariat,
St. George Fort, Chennai -9.

2.The Director,
Medical Education,
No.162, EVR Periyar Salai, Kilpauk, Chennai -10.

3.The Director,
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3rd Floor, Anna Salai, Teynampet West,
Near Fire Services, Chennai -6.



4.The Dean,
Theni Medical College, K.Vilaku, Theni District.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate, SR No.53645

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.54158

Order made in
W.P.[MD].No.2478 of 2015
19.09.2016

gcg
SH/SK-SKN:06.10.2016:3P/7C