



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2017

CORAM :

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14843 of 2017

- 1.S.John Paul Rajiv
- 2.N.Chandrasekar
- 3.B.Mahesh Kannan
- 4.N.Vikraman
- 5.E.Selvaganesh
- 6.S.Karthikeyan

... Petitioners

Vs.

- 1.The Chairman,
Atomic Energy Regulatory Board,
Niyamak Bhavan, Anusakthi Nagar,
Mumbai - 400 094.
- 2.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health & Family Welfare Department,
Secretariat, Fort St. George,
Chennai - 600 009.

- 3.The Director of Medical Education,
Kilpauk,
Chennai - 600 010.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to pass appropriate orders for considering the petitioners qualified with Certificate of Radiological Assistant (CRA) prior to 2012-13 as eligible candidates for appointment to the post of Radiographer in Diagnostic Side by making necessary amendment to Special Rules for Tamil Nadu Medical Subordinate Services notified in G.O.Ms.No.263 Health & Family Welfare (C2) Department dated 15.11.2016, by considering the representation submitted by the petitioners dated 23.01.2017, within a time frame to be fixed by this Court.

For Petitioners
For Respondents

: Mr.G.Sankaran
: Mr.K.Guru
Additional Government Pleader



O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

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2. The petitioner has come to this Court seeking a Writ of Mandamus directing the respondents to pass appropriate orders for considering the petitioners qualified with Certificate of Radiological Assistant (CRA) prior to 2012-13 as eligible candidates for appointment to the post of Radiographer in Diagnostic Side by making necessary amendment to the Special Rules for Tamil Nadu Medical Sub ordinate Services notified in G.O.Ms.No.263 Health & Family Welfare (C2) Department dated 15.11.2016, by considering the representation submitted by the petitioners dated 23.01.2017, within a time frame.

3. Heard the learned counsel appearing for the petitioners and Mr. Guru, learned Additional Government Pleader appearing for the respondents.

4. It appears that the petitioners are qualified with Certificate of Radiological Assistants (CRA) which is an eligible qualification for appointment to the post of Radiographer which covers both Radiography and Radiotherapy. However, in the meanwhile, the State Government as per G.O.Ms.No.263 Health and Family Welfare Department (C2) dated 15.11.2016, bringing the post of Radiography under Tamil Nadu Medical Subordinate Services, splitting into two categories as Radiography and Radiotherapy Technician with corresponding revision of qualification as two years Diploma course in the relevant technology.

5. As a result, the candidates with CRA qualification are rendered ineligible to the post of Radiographer after amendment. Therefore, the petitioners have given a representation to consider the plight of the petitioners since, they already acquired CRA. Admittedly, the said representation is pending consideration for quite a long time.

6. In view thereof, the second respondent is hereby directed to consider the representation submitted by the petitioners dated 23.01.2017, on merits, within a period of eight weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/



To

- 1.The Chairman,
Atomic Energy Regulatory Board,
Niyamak Bhavan,
Anusakthi Nagar,
Mumbai - 400 094.
- 2.The Principal Secretary to Government of Tamil Nadu,
Health & Family Welfare Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
- 3.The Director of Medical Education,
Kilpauk,
Chennai - 600 010.

+One cc to Mr.G.Sankaran, Advocate, SR.No.71796

+One cc to The Special Government Pleader, SR.No.72029

MRN/MR

RL/6C/3P/SV/MMS/SAR1/15/9/2017

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