

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.25466 of 2018

Dr.M.Chinthiya

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Petitioner

Vs

1.The Secretary

Tamilnadu Public Service Commission
Park Town, Chennai- 600 003.

2.The Director Public Health and Preventive

Medicine, rep.by its Director
No.359, Anna Salai, DMS Complex
Teynampet, Chennai 600 006.

3.The Directorate of Medical and Rural Health

Services, rep.by its Director, No.361, DMS Complex

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Respondents

For Petitioner : Mr.S.Prabhakaran

For Respondent : Mr.R.S.Selvam, Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to forward the name of the petitioner to the 3rd respondent pursuant to the petitioner selection in the Special Qualifying Examination for the post of Assistant Surgeon conducted by the first respondent on 22.09.2013 and publication of final result on 28.02.2014, to regularize the petitioner's services in the post of Assistant Surgeon in the Tamil Nadu Medical Service with all attendant benefits.

W E B C O P Y
O R D E R

The petitioner had completed M.B.B.S in 2007. She was appointed as Assistant Surgeon under Rule 10(a) (i) of the General Rule and was posted at the Primary Health Centre at Nathampattu, Virudhunagar District. A special qualifying examination had been announced by the first respondent for regularization of temporary services in the post of Assistant Surgeon in Tamil Nadu Medical Services, 2013. The petitioner appeared for the said examination and qualified in the same.

She was called for to appear for the certificate verification and interview, wherein she had scored 206.50 and she came out successful in written examination and interview process. The first respondent published the provisional selection list wherein the petitioner's registration No.001051084 was also found. Thereafter, the petitioner was called for to produce the "No Objection Certificate" in appropriate format on or before 27.10.2014. The same was also produced before the first respondent, but the services of the petitioner was not regularised. Therefore, on 21.09.2016, the petitioner sought for certain details from the first respondent by an application under the RTI Act, since there was inordinate delay in the appointment process. On 23.02.2017, the first respondent replied to the RTI application, stating that the petitioner's results are withheld on the ground that they had received an information that a case in Crime No.25/2013 had been registered against the petitioner and on that ground, the results of the petitioner was with held. Aggrieved over the same, the petitioner has filed the present writ petition.

2. Mr.R.S.Selvam, learned Government Advocate, appearing for the respondents has produced a communication dated 03.12.2018 from the Tamil Nadu Public Service Commission, in which it is stated that action is being taken to release the withheld result of the petitioner Dr.M.Chinthiya.

3. Recording the said communication dated 03.12.2018, this writ petition is disposed of, with a direction to the first respondent to release the results pertaining to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

- 1.The Secretary
Tamilnadu Public Service Commission
Park Town, Chennai- 600 003.
- 2.The Director Public Health and Preventive
Medicine, rep.by its Director
No.359, anna Salai, DMS Complex
Teynampet, Chennai 600 006.

3.The Directorate of Medical and Rural Health
Services, rep.by its Director, No.361, DMS Complex
Anna Salai, Teynampet, Chennai - 600 006.

+1cc to Mr.Paul & Paul, Advocate, S.R.No.86447

+1cc to Mr.C.P.Priya, Advocate, S.R.No.87095(19/12/2018)

W.P.No.25466 of 2018

KAN(CO)

GSP(13/12/2018)



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