

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.10.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.27277 of 2018
and
W.M.P.Nos.31739, 31742 and 31745 of 2018

M.Devika

.. Petitioner

Vs

1.The Director of Medical and Rural Health Services,
Teynampet,
Chennai - 600 006.

2.The Director,
Institute of Mental Health,
Kilpauk, Chennai - 600 010.

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

4.R.Chitra

5.S.Akilandanayaki

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus, to call for the records in connection with the seniority list enclosed with the letter dated 02.08.2018 for the promotional counselling to the post of Nursing Tutor Gr.II for the year 2016-2017 issued by the 1st respondent herein and quash the same consequently direct the respondents to include the petitioner's name in the list of eligible candidates for counselling for the post of Nursing Tutor Grade II.

For Petitioner : Dr.R.Sampathkumar

For Respondents : Mrs.P.Kavitha

Government Advocate for R1 to R3

ORDER

Mrs.P.Kavitha, learned Government Advocate takes notice for the respondents 1 to 3. By consent of both the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this writ petition is to quash the letter dated 02.08.2018 issued by the first respondent, with regard to the seniority list for the promotional counselling to the post of Nursing Tutor Grade-II for the year 2016-2017 and for consequential relief.

3. The case of the petitioner is that she joined as a staff nurse on contract basis in the Institute of Mental Health, Chennai on 13.10.2003. Her service has been regularised with effect from the date of joining the duty, vide proceedings dated 11.01.2011. She completed a degree in Post Basic B.Sc. (Nursing) during the academic year 2014-2015 in the Tamil Nadu Dr.M.G.R. Medical University. While so, on 02.08.2018, the Director of Medical and Rural Health Sciences issued a list of eligible persons for promotion to the post of Nursing Tutor Grade II for the year 2016-2017. However, the petitioner's name was not found in the said list. Hence, she submitted a representation dated 21.08.2018, requesting to include her name in the list of eligible candidates, however, the same was not considered by the first respondent so far. Hence, the present writ petition.

4. The learned counsel for the petitioner submitted that though her juniors' names were found in the list of eligible candidates issued for promotion to the post of Nursing Tutor Grade II for the year 2016-2017, the petitioner's name was not found therein. Hence, she submitted a representation dated 21.08.2018 to the first respondent in this regard and the same is pending without any consideration.

5. The learned Government Advocate for the respondents 1 to 3 submitted that the representation of the petitioner dated 21.08.2018 would be considered on merits and in accordance with law.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 21.08.2018, with regard to inclusion of her name in the list in question and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Director of Medical and Rural Health Services,
Teynampet,
Chennai - 600 006.

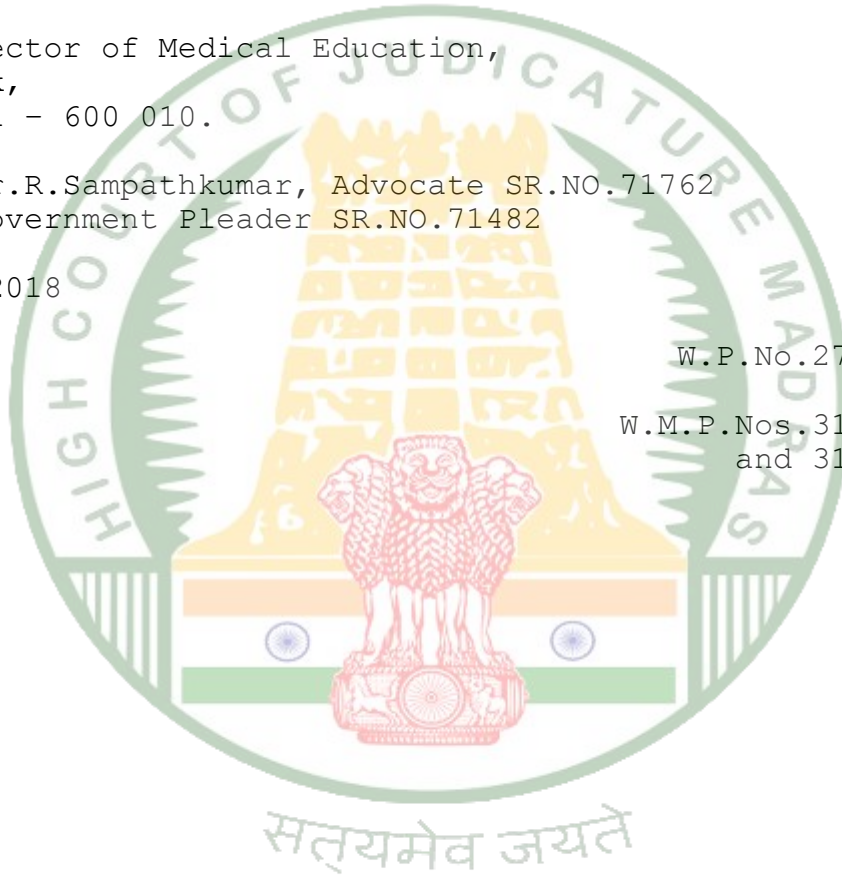
2.The Director,
Institute of Mental Health,
Kilpauk, Chennai - 600 010.

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

+lcc to Mr.R.Sampathkumar, Advocate SR.NO.71762
+lcc to Government Pleader SR.NO.71482

sm:25.10.2018

W.P.No.27277 of 2018
and
W.M.P.Nos.31739, 31742
and 31745 of 2018



WEB COPY