



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.4449 of 2016

and

W.M.P (MD) Nos.4000 and 4001 of 2018

R.Karpagavalli.

.. Petitioner

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Chennai.
2. The Medical Recruitment Board,
represented by its Chairman,
7th Floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai-6.
3. The Director of Public Health and Preventive Medicine,
DMS Complex, Anna Salai,
Chennai-6.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records on the file of the second respondent pertaining to its notification No.1/MRB/2016, dated 10.01.2016 and to quash the same and consequently direct the respondents to appoint the Petitioner as Lab Technician Grade-III under MBC Quota by considering the representation of the Petitioner, dated 27.05.2015 in the light of the earlier order of this Court in W.P.No.6588 of 2009 within the time stipulated by this Court.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.R.Sethuraman
1 and 3 Special Govt.Pleader
For Respondent-2 : Mr.T.S.Mohammed Mohideen

O R D E R

This Writ Petition has been filed, for issuance of a writ of Certiorarified Mandamus to quash impugned notification No.1/MRB/2016, dated 10.01.2016 of the second respondent and



consequently direct the respondents to appoint the Petitioner as Lab Technician Grade-III under MBC Quota by considering the representation of the Petitioner, dated 27.05.2015 in the light of the earlier order of this Court in W.P.No.6588 of 2009 within the time stipulated by this Court.

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2.Heard both sides.

3.It is represented by the learned counsel for the Petitioner and the learned Special Government Pleader appearing for the respondent No.1 and 3 and the learned counsel for the second respondent that in view of the order passed by the Honourable Apex Court in Petition(s) for Special Leave to Appeal(c)No(s).34134-34135/2017, dated 22.12.2017, nothing survives in this Writ Petition for further adjudication. The said submission is recorded.

4.Recording the above- said submission, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The Secretary to Government,
Health and Family Welfare Department,
Chennai.
2. The Chairman,
Medical Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai-6.
3. The Director of Public Health and Preventive Medicine,
DMS Complex, Anna Salai,
Chennai-6.

- + 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 79491
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79839
- + 1 CC TO Mr.S.C.HEROLD SINGH, ADVOCATE IN SR No. 79438

VSN

TE/RSK/SAR-2 : 10/09/2018 : 2P/7C