

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9826 of 2008
and MP.NO.1 AND 2 OF 2008

Gomathi.B

.. Petitioner

-vs-

1. The Director of Public Health and Preventive Medicine
No.259, Anna Salai
Chennai 600 006
 2. The Director of Medical and Rural Health Services, Chennai
 3. The Deputy Director of Health Services
Tiruvavarur
 4. The Joint Director of Health Services
Tiruvavarur
 5. The District Employment Officer
District Employment Exchange
Tiruvavarur
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 3 and 4 to consider the petitioner for appointment to the post of Pharmacist in the light of G.O.Ms.No.2112, Health and Family Welfare dated 12.9.1972 for the existing vacancies.

For Petitioner:: Mr.V.Chandrasekaran

For Respondents:: Mr.K.Ravikumar
Additional Government Pleader

ORDER

Ms.Gomathi.B, who claims to be a stipendiary candidate possessing Diploma in Pharmacy from Thanjavur Medical College in October, 1998 and having registered her name with the Tamil Nadu Pharmacy Council and also before the District Employment Office, Tiruvavarur, has come to this Court seeking issuance of a writ of mandamus, directing the

Deputy Director of Health Services and the Joint Director of Health Services, Tiruvarur to consider her candidature for appointment to the post of Pharmacist, in the light of G.O.Ms.No.2112, Health and Family Welfare Department dated 12.9.72 for the existing vacancies.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The counter affidavit filed by the respondents states that the Government have ordered vide Government Letter No.62625/C1/96-10, Health dated 28.4.98 and Lr.No.50951/C1/2000-1 dated 1.11.2000 to dispense with the procedure of giving preference to the stipendiary candidates over non-stipendiary candidates in the matter of appointment to the post of Pharmacist. It is also stated that though the petitioner participated before the Selection Committee, did not score sufficient marks to reach the zone of selection, therefore, she has no right to challenge the method and procedure of selection. This apart, the procedure has also completely changed in the matter of recruitment to the post of Pharmacist. In view thereof, since the prayer has become infructuous, this writ petition is dismissed. Consequently, M.P.Nos.1 & 2 of 2008 are also dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Public Health and Preventive Medicine
No.259, Anna Salai, Chennai 600 006
2. The Director of Medical and Rural Health Services, Chennai
3. The Deputy Director of Health Services, Tiruvarur
4. The Joint Director of Health Services, Tiruvarur
5. The District Employment Officer
District Employment Exchange, Tiruvarur

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A.SK(14/03/2019)

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