

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.03.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9757 of 2018

and

W.M.P.No.11682 of 2018

Dr.T.Rajkumar

.. Petitioner

..vs..

1. The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Director of Medical and Rural Health Service,
Anna Salai, DMS Compound,
Teynampet, Chennai - 600 006.
3. The Director of Public Health and Preventive Medicine,
Anna Salai, DMS Compound,
Teynampet, Chennai - 600 006.
4. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai - 600 003.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass orders on the representation / objections submitted by the petitioner dated 11.09.2017 and to revise the Civil Medical List seniority list 2017 by rectifying the mistake of fact/discrepancy while arriving Civil Medical List seniority without reference to terms of appointment/regularisation orders and fixation of seniority as per Rule 4(e) of General Rules for Tamil Nadu State and Subordinate Service in the respective cases and consequently to fix the seniority of the petitioner below the last candidate of TNPSC selectees 2003 -04 with all consequential and other attendant service benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.K.H.Ravi Kumar

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader R1 to R3
Dr.M.Devendran,
Standing Counsel for TNPSC for R4

O R D E R

The grievances of the writ petitioner is that they have submitted an objection in respect of the Seniority List published by the respondents, the said objections are yet to be considered.

2. The learned counsel for the writ petitioner states that the Civil Medical List Seniority was published by the respondents without reference to the terms of appointment / regularization orders and fixation of seniority as per Rule 4(e) of General Rules for Tamil Nadu State and Subordinate Services.

3. In this regard, the petitioner submitted a representation to the second respondent on 11.09.2017 and the said representation is yet to be considered.

4. Thus, without going into the merits of matter, second respondent is directed to consider the representation submitted by the writ petitioner on 11.09.2017 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5. The writ petitioner is directed to enclose the copy of representation and other relevant Government Orders, if any, along with the order passed in the present writ petition.

6. Accordingly, the present writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Pns

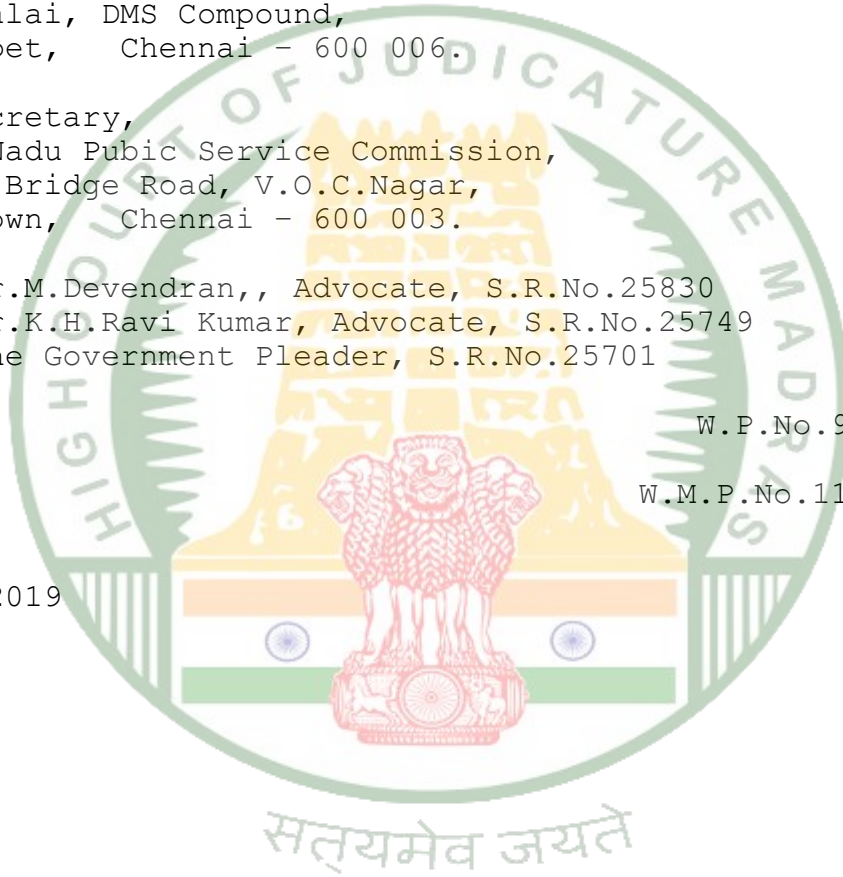
To

1. The Principal Secretary to Government,
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Chennai - 600 009.
2. The Director of Medical and Rural Health Service,
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4. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai - 600 003.

+1cc to Dr.M.Devendran,, Advocate, S.R.No.25830
+1cc to Mr.K.H.Ravi Kumar, Advocate, S.R.No.25749
+1cc to the Government Pleader, S.R.No.25701

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SSV(CO)
CS/03/05/2019



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