

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2019

C O R A M

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.15397 of 2018
and

W.M.P.Nos.18287 to 18289 of 2018

1.J.Sajid Ahmed
2.K.Prakash
3.B.Gunasheelan
4.P.Manikandan
5.G.Maheswaran
6.T.Dhanapal
7.V.Ramya
8.G.Narayanan
9.B.Sures

... Petitioners

Vs.

1.The Government of Tamil Nadu,
Rep.by its the Secretary to Government
Health and Family Welfare (C2) Department
Fort St.George, Chennai -9.
2.The Member Secretary,
Medical Services Recruitment Board(MRB),
Government of Tamil Nadu,
7th floor DMS Building, 359, Anna Salai,
Teynampet, Chennai - 6.

3.Kaleemullah.S

4.Manoharan.C

5.Yogaraj.K

6.Nithya.P

7.Sadeesh Kumar.K

8.Revathi.R

9.Aysha Shithikka

WEB COPY

10.Prethiviraj.M

11.Revathi.N

12.Sathiyapriya.C

... Respondents

PRAYER Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Notification No.09/MRB/2017 dated 24.3.2018 issued by the 2nd respondent, quash the same and consequently direct the respondents 1 and 2 to conduct a fresh selection for the post of Radiographer pursuant to the Notification bearing No.09/MRB/2017 dated 22.8.2017, either by conducting written examination or by granting relaxation of certain percentage for SSLC marks for non-"samacheer Kalvi" candidates, after granting weightage to Employment Exchange seniority.

For Petitioners : Mr.C.V.Shaym Sundar

For Respondents : Mr.A.N.Thambidurai [For R1]
Special Government Pleader

Mr.A.Vivek [For R2]

O R D E R

The recruitment notification dated 24.03.2018 issued by the second respondent is sought to be quashed in the present writ petition and consequential direction is sought for to conduct a fresh selection to the post of Radiographer.

2.The claim set out in the present writ petition is to grant weightage mark in the employment seniority as far as selection to the post of Radiographer is concerned.

3.However, the learned Standing Counsel appearing on behalf of the Recruitment Board made a submission that the process of selection had already been completed and the selected persons were appointed and serving in the department.

4.Under these circumstances, no further adjudication is required in view of the fact that the process of selection had already been completed. In the event of any illegality exists in the appointment, the writ petitioner is at liberty to challenge the order of appointment if any issued contrary to the Recruitment Rules in force.

5. With these observations, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

may a

To

1. The Secretary to Government
Health and Family Welfare (C2) Department
Fort St. George, Chennai - 9.

2. The Member Secretary
Medical Services Recruitment Board (MRB)
Government of Tamil Nadu
7th floor DMS Building, 359, Anna Salai
Teynampet, Chennai - 6.

+1cc to the Government Pleader, S.R.No. 36356

W.P. No. 15397 of 2018

PA (CO)
GN (22/05/2019)



WEB COPY