



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2019

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.2944 of 2019

1.Secretary to the Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.Deputy Director of Health Services,
Kallakurichi,
Villupuram District.

.. Appellants

vs.

K.Premalatha

.. Respondent

Appeal filed under Clause 15 of the Letters Patent against the order dated 08.4.2019 passed in W.P.No.1736 of 2016 on the file of this Court.

Prayer in W.P.No.1736 of 2016:

Writ Peition filed under Article 226 of the Constitution of India, in the nature of Certiorarified mandamus by calling for records pertaining to the order passed by the Secretary to the Government of Tamil Nadu Health and Family Welfare Depatment in Letter not appearing in person or by an Advocate.28963/R1/2016-1 dated 06.08.2016 and quash the same and direct the respondent to recruit the petitioner by direct recruitment to the post of District Extension Educator.

For Appellants : Mrs.A.Shrijayanthi
Special Government Pleader

For Respondent : Mr.Jermiah



that too even in a remote area of Kalrayan Hills, but at the same time, such sympathy cannot override the law and the learned Single Judge appears to have issued the writ without taking into account the aforesaid Government Order dated 13.8.2010.

WEB COPY

6. We, therefore, cannot sustain the impugned judgment dated 08.4.2019 which is hereby set aside, but without prejudice to the rights of the respondent/petitioner to seek her remedy against any other post or post in question by way of the methodology provided for under the Government Order. The appellant State shall be obligated to take steps for providing such an opportunity to the respondent/ petitioner and pass appropriate orders to that effect, preferably within a period of three months from today.

7. The appeal is allowed, subject to the aforesaid observation. No costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

bbr

To

1.The Secretary to the Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.The Deputy Director of Health Services,
Kallakurichi,
Villupuram District.

+1cc to Ms.T.Ramadevi, Advocate, SR.No.106528.
+1cc to Government Pleader, SR.No.106681.

W.A.No.2944 of 2019

PPA(CO)
CSR:10/01/2020