

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30683 of 2019 &
W.M.P.Nos.30757, 30759 and 30760 of 2019

1.K.Kalpana

2.G.Amalorpava Mary

3.V.Saranya

4.S.Saranya

5.R.Thangarathi

6.R.Sasikala

7.A.Alangara Selvi

8.Pandimeena

..Petitioners

vs

1.The Government of Tamil Nadu
Represented by its Secretary
Health and Family Welfare Department
Fort St. George
Chennai-600 009.

2.Medical Services Recruitment Board
Represented by its Secretary
7th floor, DMS Building
No.359, Anna salai
Teynampet, Chennai-600 006.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 2nd respondent leading to the publication of the impugned order in CV Intimation No.01/MRB/2019 dated 30.08.2019 in respect of the selection process for the post of Nurses for New Sick Born Care Unit vide 2nd respondent Notification dated 06.02.2019, quash the same and consequential direction to the 2nd respondent to prepare and publish the fresh selected list of candidates strictly in

compliance with the Rule 6(B) and Rule 8(B) including the list of reserve candidates complying with the Rule 7 of Rules of 'Procedure of the Medical Services Recruitment Board, 2013'.

For Petitioners : Mr.K.Kannan

For R1 : Mr.A.N.Thambidurai
Special Government Pleader

For R2 : Mr.M.Loganathan
Counsel for Medical Recruitment Board

O R D E R

Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the 2nd respondent leading to the publication of the impugned order in CV Intimation No.01/MRB/2019 dated 30.08.2019 in respect of the selection process for the post of Nurses for New Sick Born Care Unit vide 2nd respondent Notification dated 06.02.2019, quash the same and consequential direction to the 2nd respondent to prepare and publish the fresh selected list of candidates strictly in compliance with the Rule 6(B) and Rule 8 (B) including the list of reserve candidates complying with the Rule 7 of Rules of 'Procedure of the Medical Services Recruitment Board, 2013'.

2. Heard the learned counsel appearing for the petitioners as well as the learned Special Government Pleader appearing for the 1st respondent and the learned counsel appearing for the 2nd respondent. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that they are working as nurses in various hospitals. They participated in the selection process to the post of Nurses in sick newborn care unit on 06.02.2019. Subsequently, they participated in the written examination, which was conducted by the 2nd respondent on 09.06.2019. Thereafter, the 2nd respondent published the list of candidates for certificate verification and the petitioners were called for certificate verification on 30.08.2019. Challenging the same, the present writ petition is filed.

4. Learned counsel appearing for the petitioners submitted that though the petitioners participated in the selection process for nurses post vide notification No.01/MRB/2019, dated 06.02.2019 and subsequently, certificate verification was conducted, even thereafter, result was not published. Hence, the petitioners have come out with the present writ petition.

5. This Court has perused the entire materials available on record. A perusal of the impugned order dated 30.08.2019 reveals that the petitioners were called for certificate verification. This Court is unable to understand as to why the petitioners have filed this writ petition challenging the impugned order dated 30.08.2019, which is passed in favour of the petitioners calling for certificate verification not the order passed by the authority.

6. In view of the above, the writ petition filed by the petitioners is misconceived and deserves to be dismissed. Accordingly, the writ petition shall stand dismissed. However, the petitioners are granted liberty to file a petition in the manner known to law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (J)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Secretary,
Medical Services Recruitment Board
7th floor, DMS Building
No.359, Anna salai
Teynampet, Chennai-600 006.

+1cc to Mr.M.Loganathan, Advocate, S.R.No. 90592
+1cc to the Government Pleader, S.R.No. 91088

W.P.No.30683 of 2019 &
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GN(25/11/2019)