

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2019

CORAM :

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.34118 of 2017

and

W.M.P.Nos.17380, 37871 & 37872 of 2017

Two Years Diploma Medical Laboratory
Technician Association,
Rep. by its Secretary,
Mr.N.Nivas Chakravarthy,
No.23/27-A, Jhansi Rani Street,
NH-3, Maraimalai Nagar,
Kancheepuram District - 603 209.

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai 600 009.
2.The Director of Medical Education,
162, EVR Periyar Salai,
Kilpauk, Chennai 600 010.

3.The Director of Medical and Rural Health Services,
Medical and Rural Health Services,
361, DMS Complex,
Anna Salai, Chennai 600 006.

4.The Director of Public Health and Preventive Medicine,
359, Anna Salai, Teynampet,
Chennai 600 006.

5.The Medical Service Recruitment Board,
Rep. by its Chairman, 7th Floor, DMS Building,
359, Anna Salai, Teynampet, Chennai 600 006.

6.S.Shanthivinothini
Government Primary Health Centre,
Munanjipatti, Tirunelveli 627 355.

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7.M.Valarmathi,
Government Primary Health Centre,
Silathur, Thanjavur 614 622.

8.S.Karthikeyavenkatesan,
S/o.K.Sadasivam,
No.59-1/9, Valgavalamudan,
Gopal Nagar Extension,
YMR Patti, Dindugal - 1.

9.P.Navaladi,
S/o.R.Palanisamy,
No.102-A, Kanganipatti,
Parali PO, Namakkal District 637 020.

10.D.Swaminathan, S/o.K.Dravidamani,
No.24/A, Lottus Complex, (Matha Koil Street),
Namakkal 637 001.

11.S.Dhanasekaran, S/o.S.Selvaraj,
No.10, Mariamman Koil Street, Unnamalai Chetty Chavadi,
Kondur PO, Cuddalore Taluk,
Cuddalore District 607 002.

12.D.Vetrivel,
S/o.V.Devarajan,
No.7/F, AJS Complex,
Old Post Office Street, Ulundurpet,
Villulpuram District 606 107.
(R8 to R12 are impleaded as per order dated 30.01.2018
in WMP.No.556/2018 in WP.34118/2017)

13.G.Venkatesan,
2/4, Ayyalu Nayakar Street,
Murugapakkam, Tindivanam,
Villupuram 604 001.

14.A.Malar Vizhi,
254-L2-Indarani Nagar,
Narasothi Patty, Reddiyur,
Salem 636 004.

(R13 & 14 are impleaded as per order dated 26.04.2018
in WMP.No.12796/18 in WP.No.34118/2017) ... Respondents

PRAYER :- Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the 5th respondent herein to select only candidates
with Diploma in Medical Laboratory Technology (two year course)
for the posts of Laboratory Technician Grade II in Government
Hospitals and Medical Colleges in the State of Tamil Nadu in
terms of G.O.Ms.No.39 dated 05.02.2007 and Tamil Nadu Medical

Subordinate Services Rules, by Direct Recruitment pursuant to the Notification No.8/MRB/2016 dated 31.01.2016 issued by the 5th respondent before considering candidates with certificate in Medical Laboratory Technology (CMLT) for the post of Lab Technician Grade-II by recruitment by transfer and consequently forbear the 3rd respondent from appointing candidates working as Lab Technician Grade - III with certificate in Medical Laboratory Technology (one year course) by recruitment by transfer to the post of Laboratory Technician Grade - II as long as candidates with Diploma in Medical Laboratory Technology (two year course) are available.

For Petitioner :Ms.Nalini Chidambaram
Senior counsel
for Mr.N.R.R.Arun Natarajan

For Respondents :Mr.A.Zakkir Hussain (for R1 to R5)
Government Advocate
R6 & R7 - No appearance
Mr.S.Senthil (for R8 to R12)
Mr.K.Srinivasa Murthy
(for R13 & R14)

O R D E R

Learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition and has also made an endorsement in this regard.

2. In the light of the same, the Writ Petition is closed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
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2.The Director of Medical Education,
162, EVR Periyar Salai,
Kilpauk, Chennai 600 010.

3.The Director of Medical and Rural Health Services,
Medical and Rural Health Services,
361, DMS Complex,
Anna Salai, Chennai 600 006.

4.The Director of Public Health and Preventive Medicine,
359, Anna Salai, Teynampet,
Chennai 600 006.

5.The Medical Service Recruitment Board,
Rep. by its Chairman, 7th Floor, DMS Building,
359, Anna Salai, Teynampet, Chennai 600 006.

+1cc to Mr.N.R.R.Arun Natarajan, Advocate, S.R.No.31162

+1cc to MrS.Uma, Advocate, S.R.No.31276

+1cc to M/s.Row & Reddy, Advocates, S.R.No.31567

+1cc to the Government Pleader, S.R.No.31955

W.P. No.34118 of 2017

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vkr (20/05/2019)

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