



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.02.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.7133 of 2016

and

W.M.P. (MD) No.6045 of 2016

G.Mutheeswari

... Petitioner

Vs.

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

2) The Medical Recruitment Board,
Rep., by its Chairman,
7th Floor, D.M.S. Building,
No.359, Anna Salai,
Teynampettai,
Chennai 600 006

3) The Director of Public Health and
Preventive Medicine,
D.M.S Building, No.359,
Anna Salai, Teynampet,
Chennai 600 006

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd Respondent to appoint the petitioner in the post of Lab Technician Grade - III on contract and consolidate pay basis, on the basis of advertisement of the 2nd Respondent dated 10.01.2016.

For Petitioner : Mr.J.Lawrance

For RR 1 & 3 : Mr.J.Padhmaavathi Devi,
Special Government Pleader

For R2 : Mr.T.S.Mohamed Mohideen

O R D E R

The petitioner has come forward with the present Writ Petition seeking to issue direction to the 2nd Respondent to appoint her in



the post of Lab Technician Grade - III on contract and consolidated pay basis vide advertisement of the 2nd respondent dated 10.01.2016.

2. The learned counsel appearing for the petitioner would submit that she belongs to the Most Backward Community and she is an orthopedically disabled person having 60 percent physical disability. On 10.01.2016, the second respondent Board issued an advertisement calling for applications through online for appointment to the post of Lab Technicians Grade - III on contract and consolidated pay basis. On 12.02.2016, the petitioner submitted her online application with all relevant particulars of her qualification. The petitioner was with full hope that she will be getting an appointment based on her qualifications since the 2nd respondent Board in its advertisement has stated that 3 per cent vacancy has been reserved for differently-abled persons. But to her shock and surprise, on 23.02.2016, a list of selected candidates was published which did not contain the petitioner's name. Aggrieved by the same, on 04.04.2016, the petitioner sent a detailed representation to the respondents. Till date, the respondents have not considered the representation of the petitioner. Hence, the petitioner has approached this Court by filing this writ petition.

3. The learned counsel appearing for the respondents would submit that the petitioner's representation would be considered on merits.

4. Considering the limited scope of the relief sought for by the petitioner in this writ petition, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 04.04.2016 on merits and in accordance with law and pass necessary orders after affording due opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No.6045 of 2016 is closed.

Sd/-

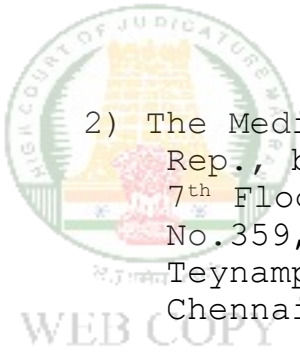
Assistant Registrar(Ad-I)

/True Copy/

Sub Assistant Registrar

To

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



2) The Medical Recruitment Board,
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3) The Director of Public Health and
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D.M.S Building, No.359,
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Chennai 600 006

+1cc to Mr.T.S.Mohamed Mohideen, Advocate in SR.No. 49580

+1cc to Mr.J.Lawrance, Advocate in SR.No. 496224

+1cc to Special Government Pleader in SR.No. 49772

Order made in
W.P. (MD) No.7133 of 2016
25.02.2019

KK-04.04.2019/3P-7C