



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.19971 of 2019

and

W.M.P (MD)No.16481 of 2019

WEB COPY

P.Dhinesh Kumar

... Petitioner

Vs.

1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

2.The Member Secretary,
Medical Services Recruitment Board,
7th Floor, TMS Building,
359, Annasalai, Teynampet,
Chennai-6.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent board to call the petitioner for certificate verification for the post of Nurse for Sick New Born Care Unit in terms of notification No.01/MRB/2019, dated 06.02.2019 by considering the representation of the petitioner, dated 04.09.2019.

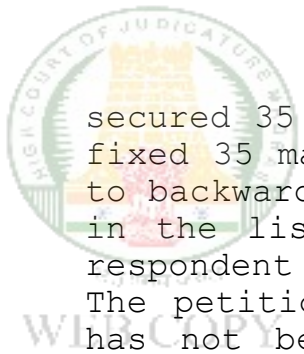
For Petitioner	: Mr.D.Sasikumar
For R1	: Mr.C.Ramar,
	Additional Government Pleader
For R2	: Mr.T.S.Mohamed Mohideen

ORDER

This writ petition is filed seeking for a mandamus directing the second respondent board to call the petitioner for certificate verification for the post of Nurse for Sick New Born Care Unit in terms of notification No.01/MRB/2019, dated 06.02.2019 by considering the representation of the petitioner, dated 04.09.2019.

2. Mr.C.Ramar, learned Additional Government Pleader takes notice for the first respondent and Mr.T.S.Mohamed Mohideen, learned counsel takes notice for the second respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, he had acquired Diploma in General Nursing and Midwifery and other required qualification for the post of Nurse for Sick New Born Care Unit. The petitioner



secured 35 marks out of 100 marks. The second respondent Board has fixed 35 marks as minimum qualifying marks. The petitioner belongs to backward community and he is entitled to be appointed. While so, in the list, the petitioner's name was not included. The second respondent called for objections from the non-selected candidates. The petitioner sent a representation, dated 4.9.2019, but the same has not been considered so far. Hence, he has come out with the present writ petition.

4. Mr.T.S.Mohammed Mohideen, learned counsel appearing for the second respondent submitted that the notification issued for appointment on 06.02.2019 was challenged by other persons before the Principal Seat of this Court in W.P.No.27260 of 2019. The petitioner's representation will be considered based on the outcome of the writ petition in W.P.No.27260 of 2019.

5. Recording the above submission, the second respondent is directed to consider the representation of the petitioner, 04.09.2019 and pass orders on merits and in accordance with law, subject to the result of the writ petition in W.P.No.27260 of 2019.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Ad-I)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

2. The Member Secretary,
Medical Services Recruitment Board,
7th Floor, TMS Building,
359, Annasalai, Teynampet, Chennai-6.

+1 CC to Mr.T.S.MOHAMED MOHIDHEEN, Advocate SR-87146.

+1 CC to SPL GP SR-87937.

+1 CC to Mr.D.SASIKUMAR, Advocate SR-87122.

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