



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P.(MD) No.26928 of 2019

and

W.M.P.(MD) No.23278 of 2019

WEB COPY

A. Vadivu Subasini

... Petitioner

/vs./

1.The Director of Medical and Rural Health Service
Teynampet

2.The Director of Medical Education
No.162 EVR Salai
Kilpauk
Chennai - 10

3.The Dean
Tirunelveli Medical College Hospital
Tirunelveli

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to place the name of the petitioner based on the order of allotment and order of appointment and grant all service and monetary benefits by placing the name of the petitioner in appropriate place in the panel dated 06.11.2019 by considering the representation of the petitioner dated 26.11.2019 and pass such other orders.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.C.M.Mari Chellaiah Prabhu

Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. Though the petitioner has sought for issuance of writ of mandamus to the respondents to place the name of the petitioner based on the order of allotment and order of appointment and grant all service and monetary benefits by placing her name in appropriate place in the panel dated 06.11.2019 by considering the representation of the petitioner dated 26.11.2019, in my view, such a decision is to be taken by the respondents and in case the petitioner is aggrieved against such any decision, it



would be appropriate to approach this Court.

3. The petitioner would submit that she has already made representation on 26.11.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

5. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 26.11.2019, on its own merits and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in her representation and it is for the respondents to consider it in accordance with law.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1.The Director of Medical and Rural Health Service
Teynampet

2.The Director of Medical Education
No.162 EVR Salai
Kilpauk
Chennai - 10

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Dean
Tirunelveli Medical College Hospital
Tirunelveli

+1 CC to SPL.GP (SR-106156[F] dated 20/12/2019)

+1 CC to Mr.S.C.HEROLD SINGH, Advocate (SR-106211[F] dated
20/12/2019)

Order made in
W.P. (MD) No.26928 of 2019
and
W.M.P. (MD) No.23278 of 2019
Dated:
18.12.2019

KM/ (28.01.2020) 3P 6C