



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.956 of 2013

and

M.P. (MD) Nos.1 and 2 of 2013

C.Dhavidan

... Petitioner

-Vs-

1.State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort. St. George, Chennai.

2.The Director of Public Health and Preventive,
Medicine, Chennai-6

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.45080/Pa.No.2/Eru3/11, dated 17.06.2011, on the file of the second respondent and quash the same as illegal and consequently to direct the second respondent to promote the petitioner to the rank of Block Health Supervisor within a period of time stipulated by this Court.

For Petitioner : M/s.Kanimozhi
for Mr.T.Lajapathi Roy

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to quash the proceedings of the second respondent, dated 17.06.2011 and direct the second respondent to promote the petitioner to the rank of Block Health Supervisor.

2.The issue with reference to the promotion to the post of Block Health Supervisor went up to the Hon'ble Supreme Court and the final order was passed by the Hon'ble Apex Court, which is reported



in (2013) 7 SCC 335. In view of the fact that the issues regarding promotion to the post of Block Health Supervisor had already been settled by the Hon'ble Apex Court of India, the case of the writ petitioner is to be considered in the light of the Judgment delivered by the Hon'ble Supreme Court of India. In this regard, the representation submitted by the writ petitioner on 22.12.2012 is to be considered. Thus, the writ petitioner is permitted to enclose the copy of the representation along with the Judgment of the Hon'ble Supreme Court and other documents to the second respondent and on receipt of the copy of the said representation, the second respondent is directed to consider the same and pass orders on merits and as per the Judgment of the Hon'ble Supreme Court of India as expeditiously as possible and preferably within a period of six months from the date of receipt of a copy of this order.

3. With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

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

2. The Director of Public Health and Preventive,
Medicine, Chennai-6.

+1 CC to M/s. Special Govt. Pleader (SR-19582[F] dated 09/10/2020)

+1 CC to M/s. T. LAJAPATHI ROY, Advocate (SR-19461[F] dated 08/10/2020)

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sjj
SDS (16.10.2020) 2P-5C

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