



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2020

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WEB COPY

THE HON'BLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No. 7385 of 2020

and

W.M.P (MD). Nos. 6832 and 6833 of 2020

M. Krishnaveni

... Petitioner

-Vs-

The Member Secretary,
Medical Services Recruitment Board (MRB)
7th Floor, DMS Buildings,
359, Anna Salai,
Teynampet, Chennai-6.

... Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the provisional selection list for the post of Lab Technician Grade-II in respect of petitioner's portion as withheld in serial number 92 issued by the respondent in No.8/MRB/2016, dated 29.11.2019 and the consequent final notice issued by the respondent in Ref.No.415/MRB/E3/2019, dated 21.02.2020 and quash the same and consequent direction may be issued to the respondent to issue selection and appointment order within stipulated time with equivalent service seniority.

For Petitioner : Mr.T.A.Ebenezer

For Respondent : Mr.T.S.Mohamed Mohaidheen
Standing Counsel

ORDER

Prayer sought for herein is for a writ of Certiorarified Mandamus to call for the records relating to the provisional selection list for the post of Lab Technician Grade-II in respect of petitioner's portion as withheld in serial number 92 issued by the respondent in No.8/MRB/2016, dated 29.11.2019 and the consequent final notice issued by the respondent in Ref.No.415/MRB/E3/2019, dated 21.02.2020 and quash the same and consequently, direct the respondent to issue selection and appointment to the petitioner for the said post.



2. Heard Mr.T.A.Ebenezer, learned counsel appearing for the petitioner and Mr.T.S.Mohamed Mohaidheen, learned Standing Counsel appearing for the respondent i.e., Medical Services Recruitment Board (MRB).

3. The petitioner was one of the candidate, who participated in the selection process for the post of Lab Technician Grade-II, pursuant to the notification issued by the respondent, dated 31.06.2016.

4. After the selection process, the final result has been published by the respondent Recruitment Board. However, the petitioner's name in Serial No.92 was withheld. Accordingly, selection was not given to the petitioner. Therefore, challenging such withholding of his name, the petitioner has filed this writ petition with aforesaid prayer.

5. On notice, Mr.T.S.Mohamed Mohaidheen, learned Standing Counsel for the respondent Recruitment Board, took time to get instructions and accordingly, when the case is taken up for hearing, the learned Standing Counsel for the respondent Board, on instructions, would submit that, the name of the petitioner was not cleared and it has been withheld for want of verification of certain certificates and accordingly, it has been withheld.

6. Subsequently, the certificates of the petitioner had been verified and the veracity and genuinity of the same has been accepted by the respondent Recruitment Board, the order of withholding the result of the petitioner has been withdrawn and by proceedings dated 09.07.2020, the name of the petitioner has been cleared, as if he is a selected candidate. Accordingly, that communication was sent to the appointing authority, namely the Director of Medical and Rural Health Services, Government of Tamil Nadu for giving appropriate appointment order to the petitioner as Lab Technician Grade-II. Therefore, the learned Standing Counsel for the respondent Board would submit that, since the petitioner has been selected and it has been communicated to the appointing authority on 09.07.2020, recording the said submission, this writ petition can be disposed of.

7. The said submission made by the learned Standing Counsel for the respondent Medical Services Recruitment Board is hereby recorded. Since the petitioner has been selected for the said post of Lab Technician Grade II and this has been communicated by the respondent to the appointing authority, namely Director of Medical and Rural Health Services on 09.07.2020, there could be no further grievance for the petitioner to agitate in this writ petition.

8. It is needless to mention that, once such a selection communication has been received from the Recruitment Board on



09.07.2020, the appointing authority would be giving necessary order to the petitioner at the earliest.

9. In that view of the matter, this Court having recorded all those developments, especially, the submissions made by the learned Standing Counsel appearing for the respondent Board, on instructions, is inclined to dispose of this writ petition as no further order is required to be passed. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Deputy Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1. The Member Secretary,
Medical Services Recruitment Board (MRB)
7th Floor, DMS Buildings,
359, Anna Salai,
Teynampet, Chennai-600 006.

2. The Director,
Medical and Rural Health Services,
359, Anna Salai,
Teynampet, Chennai - 600 006.

+1 CC to M/s. T.S. MOHAMMED MOHIDHEEN, Advocate (SR-
13293[F] dated 28/07/2020)

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27.07.2020

rmk

SDS (13.08.2020) 3P-4C

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