



WEB COPY

WP(MD)No.13603 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.11.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD) No.13603 of 2020

and

W.M.P. (MD) No.11325 of 2020

Arunasalam

...Petitioner

Vs

1. The State represented by the
The Principal Secretary to the Government,
Health and Family Welfare Department,
Chennai 600 009.
2. The Member Secretary,
Medical Services Recruitment Board (MRB),
Teynampet, Chennai 600 006.
3. The Director,
The Directorate of Indian Medicine and Homeopathy,
Arumpakkam, Chennai 600 106.
4. The Commissioner,
Indian Medicine and Homeopathy,
Indian Medical Campus,
Arumbakkam,
Chennai 600 106.

... Respondents

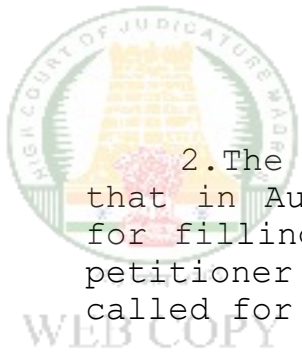
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the notification dated 14.08.2020 issued by the 2nd respondent and quash the same as illegal and consequentially direct the respondents to give the preference to the petitioner for the appointment of Assistant Medical Officer (Siddha) for the present vacancy, who was already completed certificate verification as early as in 2017 and waiting in the reserve list.

For Petitioner : Mr.R.Gandhi
For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader

ORDER

This Writ Petition is filed to quash the impugned notification dated 14.08.2020 issued by the 2nd respondent and to direct the respondents to give preference to the petitioner for appointment to the post of Assistant Medical Officer (Siddha) in the present vacancy.

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



2.The learned counsel appearing for the petitioner would submit that in August, 2015, the 2nd respondent has issued a notification for filling up the post of Assistant Medical Officer (Siddha). The petitioner has applied for the said post and subsequently, he was called for certificate verification and his rank is 143.

3.On 02.01.2018, 101 Siddha Doctors were appointed to the post of Assistant Medical Officer (Siddha) and the remaining 99 candidates, who have been completed their certificate verification including the petitioner were kept in the reserved pool for the purpose of appointment to the said post. However, on 14.08.2020, the 2nd respondent has issued a paper publication, inviting application for recruitment and appointment of 54 Assistant Medical Officer (Siddha).

4.The learned counsel would further submit that the respondents ought to have given preference to the said 99 candidates, who have been completed their certificate verification and are waiting in the reserved list, for appointment to the said post. In this regard, the petitioner has made a representation dated 17.09.2020 before the respondents, but no action has been taken till date. Hence, the writ petition.

5.In reply, Mr.K.P.Narayanakumar, learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation dated 17.09.2020 will be disposed of on merits and in accordance with law, within a period of eight weeks.

6.In view of the submissions made by the learned counsel on either side, this Court directs the respondents 1 and 2 to consider the petitioner's representation dated 17.09.2020 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, without making any further delay in its decision making process.

7.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

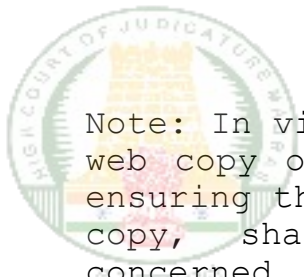
Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

WEB COPY

To

1. The Principal Secretary to the Government,
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Chennai 600 009.
2. The Member Secretary,
Medical Services Recruitment Board (MRB),
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Chennai 600 006.
3. The Director,
The Directorate of Indian Medicine and Homeopathy,
Arumpakkam,
chennai 600 106.
4. The Commissioner,
Indian Medicine and Homeopathy,
Indian Medical Campus,
Arumbakkam,
Chennai 600 106.

+1 CC to the SPL GP (SR-21011[F] dated 03/11/2020)

+1 CC to Mr.R.GANDHI, Advocate (SR-20830[F] dated 02/11/2020)

W.P. (MD) No.13603 of 2020

02.11.2020

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CS(24.11.2020) 3P 7C