



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.11.2020

CORAM

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) Nos.16237 & 16248 of 2020

and

W.M.P. (MD) Nos.13567 & 13578 of 2020

WEB COPY

N.Chellekkan ...Petitioner in W.P.(MD) No.16237 of 2020

G.Rosemary ...Petitioner in W.P.(MD) No.16248 of 2020

Vs

1.State of Tamilnadu,
represented by its Principal Secretary,
Health and Family Welfare (C2) Department,
Fort St.George,
Chennai - 9.

2.The Director of Medical Education,
O/o. the Director of Medical Education,
Kilpauk,
Chennai - 10.

3.The Dean,
Kanyakumari Government Medical College,
Asaripallam - 629 201,
Kanyakumari District. ...Respondents in both W.Ps.,

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to grant promotion to the petitioners in the post of Dailysis Technician, by considering the proposal sent by the 3rd respondent vide Na.Ka.No.5875/E5/2019 dated 22.09.2020, within the time period stipulated by this Court.

For Petitioners	
in both W.Ps.,	: Mr.T.Lajapathi Roy
For Respondents	
in both W.Ps.,	: Mr.B.Bhagavathi
	Government Advocate

COMMON ORDER

These writ petitions have been filed to direct the 2nd respondent to grant promotion to the petitioners for the post of Dailysis Technician, by considering the proposal sent by the 3rd respondent dated 22.09.2020.

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



3.It is the grievance of the petitioners that they have made representations dated 21.09.2020 before the 3rd respondent for granting promotion for the post of Dailysis Technician Grade II. Though the 3rd respondent, vide communication dated 22.09.2020, has forwarded the said representations to the 2nd respondent for considering the same and for passing appropriate orders, the same has not been considered so far. In the meantime, the 1st respondent has issued G.O.(D).No.817, dated 14.09.2020, by which, 292 Dailysis Technician Posts were created and Medical Services Recruitment Board was directed to fill up the 292 posts of Dailysis Technician. Hence, the petitioners are before this Court with the relief stated supra.

4.Mr.B.Bhagavathy, learned Government Advocate appearing for the respondents would fairly submit that based on the recommendation made by the 3rd respondent, dated 22.09.2020, the petitioners' representations dated 21.09.2020 will be disposed of on merits and in accordance with law, within a period of eight weeks.

5.In view of the submissions made by the learned Government Advocate, this Court directs the 2nd respondent to consider the petitioners' representations dated 21.09.2020 and pass appropriate orders, based on the recommendation made by the 3rd respondent, dated 22.09.2020, 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.

6.With the above direction, the Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

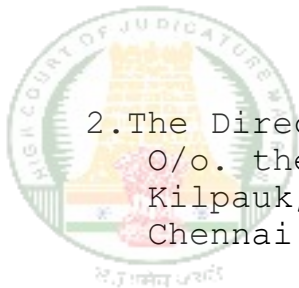
mm

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 Principal Secretary,
Health and Family Welfare (C2) Department,
Fort St.George,
Chennai - 9.

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



2.The Director of Medical Education,
O/o. the Director of Medical Education,
Kilpauk,
Chennai - 10.

3.The Dean,
Kanyakumari Government Medical College,
Asaripallam - 629 201,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-22183[F] dated 19/11/2020)

+2 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-22096[F] dated
19/11/2020)

W.P.(MD) Nos.16237 & 16248 of 2020
18.11.2020

SE(CO)
KB(27.11.2020) 3P 7C