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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.10.2020**

CORAM:

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

W.P.(MD)No.13196 of 2014
and
M.P.(MD)Nos.3 and 4 of 2014

1.P.Vasanthi
2.M.Antony Josephine
3.I.S.Nagammal ... Petitioners

Vs.

1.The Director of Public Health and
Preventive Medicine,
No.359, Annasalai,
D.M.S.Complex, Thenampet,
Chennai-6.

2.The Principal,
Health and Family Welfare Training Centre,
Vishwanathapuram,
Madurai-14,
Madurai District.

3.The Deputy Director of Health Services,
Meenakshi Nayakkan Patti,
Dindigul-624 002,
Dindigul District.

4.The Deputy Director of Health Services,
Collectorate Complex,
Ramanathapuram-623 503,
Ramanathapuram District.

5.W.Beaula Indirani,
Joint State Maternal and Child Health Officer,
Chennai.

6.A.Sasidevi,
Joint State Maternal and Child Health Officer,
Chennai.

7.V.Kandhimathi,
Joint State Maternal and Child Health Officer,
Chennai.

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8.M.Usharani,
Joint State Maternal and Child Health Officer,
Chennai.

9.S.Jeyashree,
Joint State Maternal and Child Health Officer,
Chennai.

10.P.Maheswari,
Maternal and Child Health Officer,
Viluppuram.

11.R.Jayanthi,
Maternal and Child Health Officer,
Egmore, Chennai.

12.A.Sundaravalli,
Maternal and Child Health Officer,
Cheyyar.

13.K.R.Senthamarai Selvi,
Maternal and Child Health Officer,
Vellore.

14.R.Sujatha,
Maternal and Child Health Officer,
Pudukottai.

15.J.Jessi Mary,
Maternal and Child Health Officer,
Tirunelveli.

16.A.Brindha Devi,
Maternal and Child Health Officer,
Virudhunagar.

17.R.Vasantha,
Maternal and Child Health Officer,
Tiruvarankulam.

18.R.Malaimani,
Maternal and Child Health Officer,
Tiruppur.
(The Respondent Nos.4 to 18 are to be served through the Respondent No.1) ... Respondents

PRAYER: 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 Seniority List of Maternal and Child Health Officers in R.No.27431/MP3/S1/2014, dated 21.05.2014,

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on the file of the respondent No.1 and quash the same as illegal to the extent of the placing respondent Nos.4 to 18 above the petitioners and consequently to declare the promotions awarded in pursuance to the impugned seniority list to the respondents 4 to 18 as illegal and further to direct the respondent No.1 to place the petitioners above the respondent Nos.4 to 18 and award necessary promotions to the petitioners within the stipulated time as fixed by this Court.

For Petitioner : Ms.Kanimozhi
for Mr.T.Lajapathi Roy

For Respondents : Mr.D.Muruganandam
Additional Government Pleader
for R.1 to R.4
: Mr.B.Saravanan
for R.15

ORDER

The seniority list of Maternal and Child Health Officers released in proceedings dated 21.05.2014 is under challenge in the present writ petition. The writ petitioners were appointed as Staff Nurse and subsequently transferred as Maternal and Child Health Officer in the Directorate of Public Health and Preventive Medicine. The grievance of the writ petitioners is that they are unable to get promotion despite the fact that they have served for long years in the department.

2. The impugned seniority list reveals that it is a provisional seniority list of Maternal and Child Health Officers in the order of seniority. The discrepancies if any noted in the provisional seniority list, the aggrieved persons are entitled to submit their representations to the Director of Public Health and Preventive Medicine along with relevant service particulars and documents. When the department itself had given an opportunity to redress their grievances, the writ petitioners have hurriedly approached this Court. This apart, it is only a provisional seniority list and based on this, a final list is to be approved by the competent authority as per rules in force.

3. It is brought to the knowledge of this Court that the writ petitioners already attained the age of superannuation and retired from service and thus the writ petitioners are at liberty to submit their representations if they are otherwise eligible for grant of notional permission and monetary benefits and in the event of submitting any representation, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

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4. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

1.The Director of Public Health and
Preventive Medicine,
No.359, Annasalai,
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2.The Principal,
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Dindigul-624 002, Dindigul District.

4.The Deputy Director of Health Services,
Collectorate Complex,
Ramanathapuram-623 503,
Ramanathapuram District.

+1 CC to SPL GP (SR-19743,19899[F] dated 12/10/2020)

+1 CC to Mr.T. LAJAPATHI ROY, Advocate (SR-19869[F] dated 13/10/2020)

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VB (20.10.2020) 4P 7C

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