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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.13049/2021

[Video Conferencing]

R.Rajalakshmi

.. Petitioner

Vs

1. State of Tamil Nadu
rep.by Principal Secretary to Government
Health & Family Welfare Department
Fort St George, Chennai 600 009.

2. The Director of Medical and Rural Services
DMS Campus, Chennai 600 006.

.. Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to pass orders on the objection submitted by the petitioner dated 12.10.2020 for promotion to the post of Junior Administrative Officer on inclusion the name of the petitioner in 2016-2017 panel on par with her junior, consequent to the revised seniority issued in the post of Assistant and Office Superintendent, with consequential benefits without reference to the charge memo issued in Ref.No.34143/SCII/2020 dated 20.08.2020 by the Director of Medical Education, in compliance of the judgment passed in WP.No.12740/2010 etc., cases dated 29.08.2019 within a time frame to be fixed by this Court.

For Petitioners : Mr.G.Sankaran

For R1 & R2 : Mr.C.Kathiravan
Government Advocate



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ORDER

1. By consent, the writ petition is taken up for final disposal and disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondents.
3. The case of the petitioner is that the petitioner was appointed as Steno Typist Grade-II in the Public Health Department on 09.01.1987. The grievance of the petitioner is that her name was not included in the promotion panel for the year 2016-2017 citing the reason that a charge memo was issued against her on 20.08.2020. The petitioner states that she is eligible to be considered in the said promotion panel on par with her juniors without any reference to the charge memo issued.
4. The learned counsel for the petitioner would submit that though the petitioner has prayed for a larger relief, the petitioner would be satisfied if a direction is issued to the 2nd respondent to consider the objection / representation of the petitioner dated 12.10.2020 within a time frame.
5. Having regard to the limited scope of the prayer that is now sought for by the petitioner before this Court, without expressing any opinion on the merits of the petitioner's objection/representation dated 12.10.2020, this Court directs the 2nd respondent to consider the petitioner's



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objection / representation dated 12.10.2020 and dispose of it on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

6. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Principal Secretary to Government
State of Tamil Nadu
Health & Family Welfare Department
Fort St George, Chennai 600 009.
2. The Director of Medical and Rural Services
DMS Campus, Chennai 600 006.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.29234
+1cc to the Government Pleader, S.R.No.29195

WP.No.13049/2021

RLD(CO)
GMY(23/07/2021)