



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.3943 of 2021

and

W.M.P(MD) Nos.3151 and 3152 of 2021

WEB COPY

A.Gopalakrishnan

...Petitioner

Vs

1.The Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 008.

2.The Director of Public Health and
Preventive Medicine,
Teynampet, Chennai-600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned list of multipurpose health supervisor(Health Inspector GR-I) eligible for promotion as BHS/NMS-Panel year 2019-2020 in R.No.3232/MPIV/E1/2020 (Annexure) dated 22.12.2020 published by the second respondent and quash the same as illegal and direct the second respondent to publish a fresh list of candidates for multipurpose health supervisor (Health Inspector GR-I) eligible for promotion as BHS/NMS-Panel year 2019-2020 based on the service seniority number.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.P.Mahendran
Additional Government Pleader

O R D E R

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

2.Though the petitioner had challenged the promotion panel on the ground that his juniors have been shown above him in the said panel, it would be appropriate that the petitioner first raises his objection before concerned Authority rather than invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

3.At this juncture, the learned counsel for the petitioner would submit that if liberty is granted to the petitioner to



approach the respondents to raise his objection, he would be satisfied.

4. In this background of the submission made, the petitioner is granted liberty to make his objection before the second respondent herein, ventilating his grievances and on receipt of the same, the second respondent shall consider the petitioner's objection, on its own merits and take necessary course of action in accordance with law, within a period of four weeks from the date of receipt of a copy of the objection.

5. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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 Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai-600 008.
 2. The Director of Public Health and Preventive Medicine,
Teynampet, Chennai-600 006.
- +1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-7042[F] dated 24/02/2021)
- +1 CC to M/s.SPL GP (SR-7220[F] dated 25/02/2021)

Order made in
W.P. (MD) No.3943 of 2021
and
W.M.P(MD) Nos.3151 and 3152 of 2021
24.02.2021

(NA) CO
AP(25/02/2021) 2P 5C