



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD) No.19380 of 2021

and

W.M.P. (MD) .No.16097 of 2021

Dr.L.Bhuvaneshwari

... Petitioner

Vs.

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George,
Chennai - 09.

2.The Director,
Directorate of Medical Education,
No.162, EVR Periyar Salai,
Kilpauk,
Chennai - 10.

3.The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, EVR Periyar Salai,
Kilpauk,
Chennai - 10.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, by directing the second and third respondents to award incentive marks in the counseling conducted for admission to PG degree course in Tamil Nadu Medical Colleges and Government seats in self financing medical colleges for the academic year 2021-2022 in pursuance of NEET exam based on the petitioner's representation dated 20.10.2021 submitted to the third respondent in the light of the certificate issued by the HOD namely Dean Government Medical College dated 18.10.2021 in so far as the length of service of the petitioner is concerned within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.K.S.Selva Ganesan
Counsel for State



O R D E R

The petitioner seeks a direction for the consideration of her representation dated 20.10.2021 for awarding incentive marks in the counselling conducted for admission to the PG degree course in Tamil Nadu on the basis of G.O.(Ms.)No.86, Health and Family Welfare (MCA-1) Department [in short 'G.O.(Ms.)No.86'], dated 06.03.2019.

2. The petitioner states that she joined the Tamil Nadu Medical Service on 05.02.2009, and worked in various posts which are in difficult backward areas. Consequently, the petitioner states that she is entitled to incentive marks in accordance with G.O.(Ms.) No.86. After submitting a representation dated 20.10.2021, the present writ petition is filed.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation may be directed to be considered and disposed of on merits and in accordance with law.

4. The petitioner has enclosed a copy of G.O.(Ms.)No.86. The said Government Order provides for the grant of incentive marks for three categories of posts which are classified as Category-(A), Category-(B) and Category-(C). The application of the petitioner for the PG degree course is also enclosed. In addition, the petitioner has enclosed a copy of the representation by which she has requested that her twelve year service between 20.08.2009 and 03.05.2017 in various posts in the Tamil Nadu Medical Service be considered for the award of incentive marks.

5. In the above facts and circumstances, without going into the merits of the matter, W.P(MD).No.19380 of 2021 is disposed of by directing the third respondent to consider the petitioner's representation dated 20.10.2021 seeking incentive marks. Such representation shall be considered and disposed of by a reasoned order after taking into account G.O.(Ms.)No.86 dated 06.03.2019 within a period of fifteen days from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, W.M.P(MD).No.16097 of 2021 is closed.

Sd/-

Assistant Registrar(CS-)

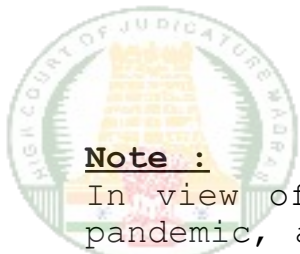
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/ /2021

Sub Assistant Registrar(CS)

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



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 the Government,
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+1 CC to M/s.SPL.GP (SR-33209[F] dated 29/10/2021)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-33160[F] dated 29/10/2021)

W.P (MD) No.19380 of 2021
28.10.2021

KMV(CO)
TR/PM(16.11.2021) 3P 6C