

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.9043 OF 2022

Dr. R.S. Deepika

...Petitioner

Vs.

1.State

Represented by the Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.The Medical Service Recruitment Board,

Represented by its Member Secretary,
DMS Building, Teynampet,
Chennai - 600 106.

3.The Director,

Indian Medicine and Homeopathy,
Chennai - 600 106.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the third respondent to dispose of the petitioner's representation dated 09.11.2021.

For Petitioner : Mr.S.Rajendrakumar

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader
for R1 & R3
Mr.M.Loganathan,
Standing Counsel for R2
Mr.P.Godson Swaminathan
for proposed respondent.

ORDER

This writ petition is filed for the issuance of a writ of Mandamus, directing the third respondent to dispose of the petitioner's representation dated 09.11.2021.

2. According to the petitioner, 38 Doctors have been appointed as Assistant Medical Officers through employment seniority under NHRM Scheme as per the Government Order in G.O.Ms. No. 848 HFW (IM-2) dated 20.08.2014 and they are continuing in the said post on temporary basis through the second respondent. Now, according to the petitioner, respondents are not taking steps to regularise these 38 Assistant Medical Officer. Therefore, she made a representation dated 09.11.2021 to the third respondent requesting them to declare and add the 38 seats in the current notification or in the subsequent notification. The said request of the petitioner has not been considered and hence she has filed the Writ Petitions before this court.

3. The learned counsel for the respondents submitted that, if any such representation is given, it will be considered by the respondents.

4. In view of the above submissions made by the parties, this Court is of the view that it is for the respondents to consider and make appropriate decision at this stage. Therefore, considering the limited scope of the prayer, without going into the merits of the case, this Court is inclined to direct the third respondent to consider the representation dated 09.11.2021 of the petitioner and pass orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. If it is necessary, authorities concerned are entitled to give opportunity to the aggrieved persons.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

mrn

To

- 1.The Secretary to Government,
State
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.
- 2.The Medical Service Recruitment Board,
Represented by its Member Secretary,
DMS Building, Teynampet,
Chennai - 600 106.

3.The Director,
Indian Medicine and Homeopathy,
Chennai - 600 106.

+2ccs to Mr.S.Rajendrakumar, Advocate Sr.No.35593, 34627

+1cc to the Government Pleader Sr.No.36608

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JPL(CO)
RVM(12/07/2022)