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W.P.No.16204 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.16204 of 2022

Dr. A. Anandhavel

... Petitioner

Vs.

1. The State of Tamilnadu,
Represented by its Principal Secretary
to Government,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai – 600 009.
2. The Director,
Directorate of Public Health and
Preventive Medicine,
DMS Buildings,
Teynampet, Chennai – 600006.
3. The District Collector,
Cuddalore District,
Gundu Salai Road,
Manjakuppam, Cuddalore- 607001.
4. The Deputy Director,
Public Health and Preventive Medicine,
Beach Road,
Cuddalore – 607001.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the third and fourth respondents to provide opportunity to the petitioner as Dental Surgeon-Contract Basis/NRHM at Cuddalore District as notified vide G.O. Ms. No. 513 dated 03.12.2020 on the file of the first respondent, under the persons with disability quota as prescribed under Section 34(1)(c) of Rights of Persons with Disability Act, 2016 and pass orders.

For Petitioner : Mr. S. Vijayaganesh

For Respondents : Mr. T. Arunkumar
Additional Government Pleader

ORDER

This writ petition is filed for the issuance of a writ of Mandamus, directing the third and fourth respondents to provide opportunity to the petitioner as Dental Surgeon-Contract Basis/NRHM at Cuddalore District as notified vide G.O. Ms. No. 513 dated 03.12.2020 on the file of the first respondent, under the persons with disability quota as prescribed under Section 34(1)(c) of Rights of Persons with Disability Act, 2016 and pass orders.

2. According to the petitioner, pursuant to the notification, he has



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applied for the Dental Surgeon-Contract Basis/NRHM and received a call letter to appear for interview. He states that he was the only one who participated under persons with disability category. Therefore, he is likely to be appointed for the post of Dental Surgeon-Contract Basis/NRHM in the respondent department. The petitioner belongs to MBC community and also suffered with disability and he is also eligible for the disability reservation as prescribed under Section 34(1)(c) of Rights of Persons with Disability Act, 2016. When the petitioner came to know that the appointments are proposed to be made under communal roster and were presently kept in abeyance, the petitioner has approached this court to direct the third and fourth respondents to provide an opportunity to him as Dental Surgeon-Contract Basis/NRHM at Cuddalore District as notified vide G.O. Ms. No. 513 dated 03.12.2020.

3. The learned Government Pleader for the respondents submitted that the petitioner has approached this Court on apprehension, that the respondents may not consider him for the aforesaid post. He further submitted that the respondents will consider



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him for the aforesaid post.

4. This court is of the hope that the respondents will consider the request of the petitioner in accordance with the Rules.

5. With the above observations, the writ petition stands disposed of. No costs.

29.06.2022

Index:Yes/No
Internet:Yes/No
(mrn)

To
1. The Principal Secretary



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to Government,
The State of Tamilnadu,
Health and Family Welfare Department,
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Chennai – 600 009.

2. The Director,
Directorate of Public Health and
Preventive Medicine,
DMS Buildings,
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D. KRISHNAKUMAR, J.

(mrn)

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