



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.06.2022

CORAM

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 22411 of 2017
and
W.M.P. No. 29050 of 2017

Dr. M.Kodivel
Son of Mr. Marimuthu
No.1/226, West Street
Sirumangalam Village
Pukkiravari Post
Kallakurichi Taluk
Villupuram District-606 204.

... Petitioner

-vs-

1. The Principal Secretary to Government
Welfare of Differently Abled Persons
Department
Fort St. George, Chennai - 600 009.
2. The Principal Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai - 600 009.
3. The Office of Commissioner of Indian Medicine and Homeopathy
Arignar Anna Government Hospital of Indian Medicine Campus
Arumbakkam,
Chennai - 600 106.
4. The State Commissioner for the Differently Abled
Commissionerate for the Welfare of the Differently abled
Kamarajar Salai
Chennai - 600 005.
5. The Medical Service Recruitment Board
Rep. by its Member Secretary
No.359, Anna Salai
Chokkalingam Nagar
Teynampet, Chennai - 600 018.

... Respondents

(R5 is impleaded vide order dated
23.06.2022 in W.M.P. No. 29049 of 2017)



Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the First to Third Respondents herein to constitute expert committee for identification of post in Assistant Medical Officer (Siddha) for persons with low vision or visual impairment and take a final decision thereon, in pursuance to the Petitioner's representation dated 21.01.2017 and followed by the communication made by the Fourth Respondent in R.O.C. No. 5234DAW.3-3/2016 dated 13.02.2017 with a time frame as may be fixed by the Court.

For Petitioner : Mr. R.Veeramani

For Respondents: Mr. P.Balathandayutham (For R1 to R4)
Special Government Pleader

Mr. M.Loganathan (For R5)

O R D E R

Heard Mr. R.Veeramani, Learned Counsel for the Petitioner, Mr.P.Balathandayutham, Learned Special Government Pleader appearing for the First to Fourth Respondents and Mr. M.Loganathan, Learned Counsel for the Fifth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First to Third Respondents to constitute expert committee for identification of post in Assistant Medical Officer (Siddha) for persons with low vision or visual impairment and take a final decision in furtherance to the representation dated 21.01.2017 made by the Petitioner and followed by the communication in R.O.C. No. 5234DAW.3-3/2016 dated 13.02.2017 made by the Fourth Respondent.

3. Learned Special Government Pleader appearing for the First to Fourth Respondents has brought to notice that after the filing of the Writ Petition, the Government of Tamil Nadu by G.O. (Ms) No. 20, Welfare of Differently Abled Persons Department dated 20.06.2018 has included the category of low vision in the reservation for differently abled persons for the post of Assistant Medical Officer (Siddha) and its copy has been produced. In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any other grievance to be redressed, he is not precluded from working out his rights before the proper forum in the manner recognized by law.



In fine, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Maya
To

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Welfare of Differently Abled Persons
Department
Fort St. George, Chennai - 600 009.
2. The Principal Secretary to Government
Government of Tamil Nadu,
Health and Family Welfare Department
Fort St. George, Chennai - 600 009.
3. The Office of Commissioner of Indian
Medicine and Homeopathy
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+1 cc to Government Pleader Sr.NO. 38990

W.P. No. 22411 of 2017

RGN(CO)
A.SK(05/07/2022)