



W.P.No.33071 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.12.2022

Coram

The HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.No.33071 of 2022

Dr.J.Nirmalson
Joint Director of Public Health (MCH),
Department of Public Health and Preventive Medicine,
Chennai. .. Petitioner

Vs

- 1.The Director,
Department of Public Health and Preventive Medicine,
Chennai.
- 2.The Chairman,
TNPSC, Chennai.
- 3.The Director,
Department of Public Health and Preventive Medicine,
DMS Campus, Chennai. .. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus directing the respondents to
consider the petitioner's seniority based on merits instead of adopting
community based rotation seniority by considering the petitioner's
representation dated 23.08.2022.



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For Petitioner : Mr.D.R.Arun Kumar
For Respondents : Mr.R.V.Dinesh Raj Kumar
Additional Government Pleader
for R1 and R3
Mr.R.Bharanidharan
Standing Counsel for R2

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's seniority based on merits instead of adopting community based rotation seniority by considering the petitioner's representation dated 23.08.2022.

2. The grievance of the petitioner is that the first respondent viz., the Director, Department of Public Health and Preventive Medicine, Chennai has fixed the seniority of its employees only based on community based rotation. He has given a representation on 23.08.2022 requesting the respondents to fix the seniority of its employees based on merit instead of adopting community based rotation seniority. Since the representation has not been considered till date, he has filed this writ petition.



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3. The petitioner is presently working as Joint Director in the Department of Public Health and Preventive Medicine, Chennai. No prejudice would be caused to the respondents if the petitioner's representation is considered by the respondents on merits and in accordance with law within a time frame to be fixed by this Court.

4. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 23.08.2022 requesting for fixing the seniority of its employees on merit basis and not on community basis within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, the writ petition stands disposed of. No costs.

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Index:Yes/No
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To

- 1.The Director,
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Chennai.
- 2.The Chairman,
TNPSC, Chennai.
- 3.The Director,
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DMS Campus, Chennai.



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ABDUL QUDDHOSE,J.

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