



W.P.No.33909 of 2022

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 16.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33909 of 2022

G.Senthil Kumar

.. Petitioner

VS

1. The State of Tamil Nadu

Rep. by its Principal Secretary

Health and Family Welfare Department

Fort St. George, Secretariat, Chennai - 600 009.

2. The Director

Directorate of Public Health and Preventive Medicine

No.359, DMS Building

Anna Salai, Teynampet, Chennai - 600 006.

3. The Deputy Director of Health Services

District Collector's Office Campus

Dharmapuri - 636 705.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to consider the representation dated 06.07.2022 for promotion on the basis of the final order dated 03.07.2018 in W.P.No.16403 of 2018.



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For Petitioner : Mr.A.M.Kamalanath
For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. This writ petition has been filed for a Mandamus, seeking for a direction to the second respondent to pass final orders on the petitioner's representation dated 06.07.2022 seeking for promotion based on the orders of this Court dated 03.07.2018 passed in W.P. No.16403 of 2018, within a time frame to be fixed by this Court.

4. In an earlier writ petition filed by the very same petitioner in W.P. No.16403 of 2018, dated 03.07.2018, this Court had directed the second respondent to pass final orders on the petitioner's representation seeking for promotion to the post of Assistant by including his name in the promotion panel as on 01.03.2012. Pursuant to the said directions issued by this Court, the second respondent had regularized the service of



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the petitioner as Junior Assistant, but, however, he was not granted promotion due to the pendency of 17(b) charges against him. The petitioner, has now filed a copy of the Proceedings dated 07.08.2019, issued by the respondents, under which, the 17(b) charges have been dropped against him.

5. In such circumstances, the petitioner has once again given a representation on 06.07.2022 requesting the second respondent to include his name in the promotion panel. Since the representation has not been considered till date, he has filed this writ petition.

6. Heard Mr.A.M.Kamalanath, learned counsel for the petitioner and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader appearing for the respondents.

7. No prejudice would be caused to the respondents, if the petitioner's representation, as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

8. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 06.07.2022 seeking to include his



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name in the promotion panel in the post of Assistant, within a period of eight weeks from the date of receipt of a copy of this order.

9. With the aforesaid directions, the writ petition is disposed of.

There will be no order as to costs.

16.12.2022

Index:Yes/No

Speaking order/Non-speaking order

drm/vsi2

To

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ABDUL QUDDHOSE,J.

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