



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.10733 of 2019

Soniya

... Petitioner

-vs-

- 1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai-600 009.
- 2.The Director of Medical Services and Rural Health,
DMS Campus, Anna Salai,
Teynampet, Chennai-600 006.
- 3.The Director of Public Health,
DMS Campus, Anna Salai,
Teynampet, Chennai-600 006.
- 4.The Director of Medical Education,
Kilpauk, Chennai-600 010.
- 5.The Medical Services Recruitment Board,
Rep.by the Chairman,
7th Floor, DMS Building,
359, Anna Salai,
Teynampet, Chennai-600 006.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, direct the respondents to consider the petitioner's candidature with application No.1407559 for the appointment to the post of Pharmacist on temporary basis relating to the notification in No.6/MRB/2016 dated 31.01.2016 issued by the fifth respondent, by calling the petitioner for certificate verification by taking into account of the weightage mark of 54.43 secured by the petitioner under BC (Women) Category.



For Petitioner : Mr.R.Pon Karthikeyan
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for RR1 to 4
Mr.T.S.Mohamed Mohideen for R5

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O R D E R

The relief sought for in the present Writ Petition is to direct the respondents to consider the petitioner's candidature for the appointment to the post of Pharmacist on temporary basis relating to the Notification No.6/MRB/2016 dated 31.01.2016 issued by the fifth respondent, by calling the petitioner for certificate verification by taking into account of the weightage mark of 54.43 secured by the petitioner under BC (Women) Category.

2. The petitioner, pursuant to the recruitment notification, participated in the process of selection to the post of Pharmacist. The grievance of the petitioner is that she had not received the call letter for interview.

3. In this regard, the learned counsel appearing for the respondents Recruitment Board made a submission that the Board has sent the call letter and the said factum is narrated in paragraph No.9 of the counter affidavit which reads as under:-

9. In view of the impediments in process of the selection has been lifted, the certificate verification for the post of Pharmacist was commenced from 09.01.2018 to 02.04.2018 in various phases. All communications calling the candidates for certificate verification were issued through E-mail and SMS which were provided by the candidates in their applications and it was already informed to the candidates in the Board's notification dated 31.01.2016 under paragraph 9. Online Registration (e) which is as follows:-

"e.Mobile number and email are mandatory; you are also requested to provide alternate secondary Mobile No. Landline number as well. All communications from MRB will be sent only to the registered primary mobile number by SMS and to the registered e-mail only and by no other means".

Accordingly, the petitioner herein was called for certificate verification in second phase on 29.01.2018 (Sl.No.431), the communication was sent to the petitioner through the registered e-mail address (soniyaramasamy@gmail.com) and SMS to the primary mobile number (9787428530) on 22.01.2018 respectively. Both communication were delivered to the petitioner. The petitioner absented for certificate verification.



4. Further, the petitioner has submitted an application to participate in the process of selection, pursuant to the recruitment notification issued in the year 2019. This being the factum, the cause did not exist as the recruitment process had been completed and further, the call letter was sent to the petitioner. However, she remained absent. Therefore, the relief sought for in the present writ petition cannot be granted.

5. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

- 1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Health and Family Welfare Department,
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Chennai-600 009.
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- 4.The Director of Medical Education,
Kilpauk, Chennai-600 010.
- 5.The Medical Services Recruitment Board,
Rep.by the Chairman,
7th Floor, DMS Building,
359, Anna Salai,
Teynampet, Chennai-600 006.

+1 CC to M/s.SPL.GP. (SR-21168[F] dated 26/04/2022)

W.P.(MD) No.10733 of 2019

22.04.2022

SS/06.05.2022 : 3P/7C

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