



W.P.(MD)No.28995 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28995 of 2022

Selvakumar.R

... Petitioner

Vs.

1.The Secretary to Government,
Health and Family Welfare (AA1) Department,
Secretariat,
Chennai – 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

3. The Dean,
Madurai Medical College,
Madurai 625 020.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent i.e., the Secretary to Government, Health and Family Welfare (AA1) Department, Chennai to revise the inter-se seniority list of the petitioner according to his date of joining in the post of Pharmacist on 14.05.2007 on par with Directly Recruited Candidates who were directly recruited on 29.08.2007, within a specified time frame that may fixed by this Court



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For Petitioner : Mr. S.Visvalingam.
For Respondents : Mr.G.V.Vairam Santhosh.
Assistant Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Health and Family Welfare (AA1) Department, Chennai to revise the inter-se seniority of the petitioner, according to his date of joining in the post of Pharmacist on 01.09.2006, on par with Directly Recruited Candidates, who were directly recruited on 29.08.2007.

2. By consent of both parties, the writ petition itself is taken up for final disposal at the admission stage.

3. The learned counsel appearing for the petitioner would submit that there was an *inter se* seniority dispute between the petitioner and directly recruited candidates, who are directly recruited on 29.08.2007, whereas he was joining duty on 01.09.2006. In order to rectify the



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inter se seniority in between the petitioner and the direct recruitment candidates, the petitioner has made a representation on 26.09.2022, to the first respondent. Since the said representation was not considered, the petitioner has filed the present writ petition.

4. The learned counsel appearing for the petitioner would submit that it would suffice if a direction is issued to the first respondent to consider the petitioner's representation and pass appropriate orders.

5. Heard the leaned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

6. In the light of the submission made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation dated 26.09.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of. No costs.

23.12.2022

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To

- 1.The Secretary to Government,
Health and Family Welfare (AA1) Department,
Secretariat,
Chennai – 600 009.
- 2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.
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M.DHANDAPANI,J.

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