



WEB COPY



W.P.No.4811 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4811 of 2023 and WMP No.4834 of 2023

- 1.Arthi
- 2.S.Sathiyaraj
- 3.A.Babu
- 4.J.Selvanayagam

...Petitioners

Vs

1. The State of Tamil Nadu,
Rep., by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort.St.George, Chennai-600 009.
 2. The Chairman,
Medical Services Recruitment Board (MRB),
7th Floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai-600 006.
 3. The Director of Medical Education,
Kilpauk, Chennai-10.
 4. The Director of Medical and Rural Health Services,
Office of the Director of Medical and Rural Health Services,
DMS Campus, Anna Salai,
Teynampet, Chennai-600 006.
- .. Respondents



W.P.No.4811 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the Provisional Selection List dated 04.11.2022 for the post of Dark Room Assistant prepared by the 2nd respondent in PSL No.08/MRB/2022 and quash the same in respect of exclusion of petitioners alone and then to direct the 1st respondent to re-consider the claims of the petitioners in terms of the decision of the Division Bench dated 18.08.2022 made in W.P.No.20413 of 2022 and the decision of Madurai Bench dated 13.04.2017 passed in W.P.(MD)No.6809 of 2017 and the decision of the Madurai Bench dated 21.08.2020 passed in W.P.(MD)No.6684 of 2020 and consequently to direct the respondents 1 to 3 particularly the 3rd respondent to consider and appoint the petitioners as Dark Room Assistants from the dates (09.01.2023 & 10.01.2023) on which their batch mates viz., S. Arun Kumar and V.Jeyakumar were appointed as Dark Room Assistants with all attendant service and monetary benefits.

For Petitioner : Mr.P.I.Thirumoorthy
For Respondents : Mr.P.Balathandayutham
Special Government Pleader
For R.1, R.3 and R.4
Mr.M.Loganathan
For R.2

ORDER



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The petitioners herein challenge the provisional selection list dated 04.11.2022, which was released pursuant to the Notification No.08/MRB/2022 dated 16.03.2022, issued by the second respondent herein.

2. Pending writ petition, the final selection list has also been released and thereafter, the second respondent herein had issued the appointment orders on 11.01.2023 and the successful candidates have also joined in their respective posts on 19.01.2023.

3. As such, the prayer sought for in the present writ petition has become infructuous. In case, the petitioners are aggrieved against the appointments made, it is always open to them to work out their remedy in accordance with law.

M.S.RAMESH,J.

sr



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4. With the above observation, the writ petition is closed. No costs.

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Consequently, connected miscellaneous petition is closed.

07.06.2023

Index:Yes/No

Speaking order/Non-speaking order

sr

To

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State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort.St.George, Chennai-600 009.
2. The Chairman,
Medical Services Recruitment Board (MRB),
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3. The Director of Medical Education,
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