



W.P. No. 11163 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 11163 of 2023
and
W.M.P. Nos. 11017 and 11019 of 2023**

1. A.J.Rajesh
2. J.Sanjeevi
3. M.Sellammal
4. R.Vetrivel
5. S.Abirami
6. G.Subalakshmi
7. P.Jaya
8. K.Thangamani
9. S.Sheiladevi
10. P.Prema
11. S.R.Rajeswari
12. P.Prakash
13. K.Gokulraj



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14. S.Krithika

15. P.Saravanan

16. S.Kannan

17. A.Sivambika

18. S.Shailaja

19. K.Arun

20. S.Thenmozhi

21. S.Sureshkumar

22. M.Gayathri

23. N.Lakshmanan

24. M.Venkatesh

25. R.Hameethabanu

26. S.Thirumathi

27. T.Sivaselvan

28. Y.Shenbagaraj

29. R.Ranjithkumar

30. P.Madeswaran

31. G.Rajendran

32. K.Saravanan



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33. V.Revathi

34. V.Mani

35. S.Kamal Abdul Nazer

36. N.Thenmozhi

37. P.Kalaivani

38. C.Jeyanthi

39. M.Bamasri

40. J.Boopathi

41. G.Abirami

42. M.Dineshkumaran

43. C.Karthikeyan

44. M.Mohamed Siddique

45. R.Muthukumar

46. R.Rajesh

47. V.Vanitha

48. R.Thangamurugavelu

49. S.Sureshsankar

50. K.Amaladevi

51. G.Prakasam



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52. S.Karunakaran

53. G.Parthiban

54. A.Vijayanand

55. A.Inayathulla

56. S.Kalyani

57. R.Vinothkumar

58. S.Murugan

59. J.Sivakumar

60. S.Maruthan Mayilsamy

61. S.Arun

62. D.Vetriselvan

63. S.Rajalaskhmi

64. P.Velmurugan

65. S.Thangadurai

66. R.Senthilumar

67. V.Amaravathi

68. K.Gomathi

69. K.Priya

70. T.Sathiya



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71. T.Sakthikumar

72. S.Selvakumar

73. G.Ambairam

74. G.Suguna

75. P.M.Sivalingam

76. A.Karthick

77. G.Rajthilak

78. N.Kavitha

79. M.Bharathikani

80. M.Ananda Prabu

... Petitioners

-VS-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai – 600009.
2. Director (Personnel),
Department of Public Health and Preventive Medicine,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.
3. The Director,
Directorate of Medical and Rural Health Services,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.



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4. Mission Director,
State Health Society,
Department of Public Health and Preventive Medicine,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.

5. Medical Services Recruitment Board,
Rep. by its Member Secretary,
7th Floor, DMS Building,
No. 359, Anna Salai,
Chennai – 600006.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Fifth Respondent from conducting the written examination for selecting 889 Pharmacists to be posted in Primary Health Centres on temporary or permanent basis coming under the Tamil Nadu Medical Subordinate Service pursuant to Notification No. 10/MRB/2022, dated 10.08.2022 read with Notification No. 10/MRB/2022 dated 23.03.2023 until the Petitioners working as Pharmacists appointed under the Rashtriya Bal Swasthya Karyakram (RBSK) Scheme of the Central Government and working under the National Health Mission now working under the State Health Society for more than 6 years are absorbed in regular time scale of pay in the Primary Health Centres in the State of Tamil Nadu as Pharmacists coming under the Tamil Nadu Medical Subordinate Service as per the terms of G.O. Ms. No. 335, Health and Family Welfare (C1) Department dated 12.11.2015.

For Petitioners : Mrs. Nalini Chidambaram,
Senior Counsel
for M/s. C.Uma

For Respondents : Mrs. R.Anitha,
Special Government Pleader
(for R1 to R4)

Mr. M.Loganathan (for R5)



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ORDER

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Heard Mrs. Nalini Chidambaram, Learned Senior Counsel appearing for the Petitioners and Mrs. R.Anitha, Learned Special Government Pleader, who takes notice for the First to Fourth Respondents, and Mr. M.Loganathan, Learned Counsel, who takes notice for the Fifth Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to restrain the Fifth Respondent from conducting the written examination for selection of 889 Pharmacists to be posted in Primary Health Centres on temporary or permanent basis coming under the Tamil Nadu Medical Subordinate Service pursuant to Notification No. 10/MRB/2022, dated 10.08.2022 read with Notification No. 10/MRB/2022 dated 23.03.2023 till the Petitioners working as Pharmacists appointed under the Rashtriya Bal Swasthya Karyakram (RBSK) Scheme of the Central Government and working under the National Health Mission now working under the State Health Society for more than 6 years are absorbed in regular time scale of pay in the Primary Health Centres in the State of Tamil Nadu as Pharmacists coming under the Tamil Nadu Medical Subordinate Service as per



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the terms of G.O. Ms. No. 335, Health and Family Welfare (C1) Department
dated 12.11.2015.

3. As all relevant documents have not been produced along with the Writ Petition, Learned Senior Counsel appearing for the Petitioners seeks permission of the Court to withdraw the Writ Petition with liberty to the Petitioners to file a fresh Writ Petition with required documents to effectually and completely adjudicate the matter. Learned Counsel for the Petitioner has also made an endorsement to that effect in the Court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petitions are closed. No costs

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 27.07.2023.



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To

WEB COPY

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai – 600009.
2. The Director (Personnel),
Department of Public Health and Preventive Medicine,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.
3. The Director,
Directorate of Medical and Rural Health Services,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.
4. The Mission Director,
State Health Society,
Department of Public Health and Preventive Medicine,
No. 359, DMS Complex,
361, Anna Salai,
Chennai – 600006.
5. The Member Secretary,
The Medical Services Recruitment Board,
7th Floor, DMS Building,
No. 359, Anna Salai,
Chennai – 600006.



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