



WEB COPY



W.P.No.12270 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12270 of 2022

Mrs.K.Parvathy

... Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat,
Chennai.

2.The Director of Medical Education,
Directorate of Medical Education,
No.162, Periyar EVR Salai,
Kilpauk, Chennai – 600 010.

3.The Directorate of Medical and Rural Health Service,
Office of Director of Medical Service,
DMS Complex, Thenampet,
Chennai – 600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to promote the petitioner to the post of Grade I Nursing Superintendent for year 2018-2019 as per the promotion panel 11.07.2018 of 3rd respondent and consequently to pay retirement and allied benefits.



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For Petitioner : Mr.B.Nedunchezhiyan

For Respondents : Mr.V.Manoharan
Additional Government Pleader

ORDER

The prayer sought for in the present writ petition is to direct the respondents to promote the petitioner to the post of Grade I Nursing Superintendent for year 2018-2019 as per the promotion panel 11.07.2018 of 3rd respondent and consequently to pay retirement and allied benefits.

2. This Court is of the view that such a claim requires to be considered by the respondents and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the petitioner is granted liberty to give a fresh representation to the respondents ventilating their grievances, with a consequential direction to the respondents to consider it within a stipulated time, the ends of justice could be secured.

3. In the light of the above observation, the petitioner is granted liberty to give a fresh representation to the respondents herein, ventilating their grievances and on receipt of the same, the respondents shall consider it on its



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own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner herein and it is open to the respondents to consider it on its own merits.

4. With this direction, this writ petition stands disposed of. No costs.

07.11.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

ssr

To

- 1.The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat,
Chennai.
- 2.The Director of Medical Education,
Directorate of Medical Education,
No.162, Periyar EVR Salai,
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M.S.RAMESH,J.

SSR

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