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W.P. No. 11706 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2023

CORAM

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

W.P. No. 11706 of 2023

B.Aruna

... Petitioner

-VS-

1. State of Tamil Nadu,
Rep. by its Secretary to Health Department,
Fort St. George,
Chennai – 600009.
2. The Director of Medical and Rural Health Services,
Chennai – 600006.
3. The Director of Medical Education,
Kilpauk,
Chennai – 600010.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Second and Third Respondents to dispose of the Petitioner's representations dated 02.02.2023 and received by them on 07.02.2023 and direct the Second and Third Respondents to promote the Petitioner as the Chief Physiotherapist.

For Petitioner : Mr. A.M.Packianathan Easter

For Respondents : Mrs. R.Anitha,
Special Government Pleader



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ORDER

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Heard Mr. A.M.Packianathan Easter, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 02.02.2023 to the Respondents to promote him as Chief Physiotherapist, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 02.02.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the



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Petitioner requiring the same to be furnished within a time frame of not

less than 15 days for the same;

- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain her position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and
- (v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

18.04.2023

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Index: Yes/No

Note: Issue order copy by 05.06.2023.



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To

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1. The Secretary to Health Department,
State of Tamil Nadu,
Fort St. George,
Chennai – 600009.
2. The Director of Medical and Rural Health Services,
Chennai – 600006.
3. The Director of Medical Education,
Kilpauk,
Chennai – 600010.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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