



WEB COPY



WP.No.22030 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.22030 of 2023
and W.M.P.No. 21400 of 2023

- 1.S.Uthayakumar
- 2.S.Selvavel
- 3.K.Muneeswari
- 4.S.Govindraraju
- 5.R.Mohanraj
- 6.K.Mohanraj
- 7.M.Archana
- 8.M.Sakthi Ganesh
- 9.G.Manikandan
- 10.A.Vimal Yeshwanth
- 11.R.Malarvizhi
- 12.G.Vengadeshwaran
- 13.Premkumar D
- 14.Socrates
- 15.E.Rajaganapathy
- 16.G.Alex Prabu
- 17.P.Sankaralingam

.. Petitioners

Versus

1.The Secretary to Government
Health & Family Welfare Department
Fort St.George,Chennai – 600 009

2.The Director
Directorate of Medical Education
Poonamallee High Road
Chennai – 600 010



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3.The Director of Public Health
and Preventive Medicines
DMS Campus, Teynampet, Chennai – 600 006

4.The Director of Medical & Rural
Health Services
DMS Campus, Teynampet, Chennai – 600 006

5.The Chairman
Medical Services Recruitment Board (MRB)
7th Floor, DMS Buildings
358, Anna Salai
Teynampet, Chennai – 600 006

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent authorities to consider the representations of the Petitioners dated 14.07.2023 and pass orders for grant of 20 percent reservation under Section 3 (1) of Tamil Nadu Appointment on Preferential Basis in the Services under the state of Persons studied in Tamil Medium (PSTM) Act 40 of 2010 to the petitioners who have completed their entire schooling in Tamil medium (1st to 12th standard) in the recruitment process for filling 1021 vacancies of Asst. Surgeon and such other vacancies in the departments of respondents 1 to 4 as notified in the Notification No.11/ MRB / 2022 dated 11.10.2022.

For Petitioner : Mr.S.Thanka Sivan

For Respondents : Mr.P.Baladhandayutham for R1 to R4
Special Government Pleader
Mr.M.Loganath for R5



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ORDER

This writ petition has been filed directing the respondent authorities to consider the representations of the Petitioners dated 14.07.2023 and pass orders for grant of 20 percent reservation under Section 3 (1) of Tamil Nadu Appointment on Preferential Basis in the Services under the state of Persons studied in Tamil Medium (PSTM) Act 40 of 2010 to the petitioners who have completed their entire schooling in Tamil medium (1st to 12th standard) in the recruitment process for filling 1021 vacancies of Asst. Surgeon and such other vacancies in the departments of respondents 1 to 4 as notified in the Notification No.11/ MRB / 2022 dated 11.10.2022.

2. It is the contention of the writ petitioners that they have studied their entire schooling through Tamil medium and they are entitled to 20% reservation as per Section 3(1) of Tamil Nadu Appointment on Preferential Basis in the Services under the state of Persons studied in Tamil Medium (PSTM) Act 40 of 2010 recruitment process to be conducted by the fifth respondent for filling up vacancies for the post of Assistant Surgeon/Medical Officers. In this regard, they have also given representation to the respondents on 14.07.2023, which are pending without consideration. Hence, this writ petition.

3. Heard both sides and perused the materials placed on record. Though



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the relief is sought for injunction restraining the respondent authorities from commencing and proceeding with the recruitment process, the learned counsel for the petitioner submitted that it would suffice, if this Court directs the respondents for considering the representation of the petitioners before commencing the appointment process.

4. Such view of the matter, the petitioners shall give fresh representations within a period of one week to the respondents and the respondent authorities shall consider the same and pass appropriate orders on its own merits and in accordance with law within a period of one month thereafter. Accordingly, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs

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dhk

Internet: Yes/No

Index : Yes/No

Neutral Citation: Yes/No



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N.SATHISH KUMAR, J.



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