



WP.No.22575 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR**

WP.No.22575 of 2023  
and W.M.P.No.22013 of 2023

1.V.Bhuvaneswari  
2.V.Tamilarasi

.. Petitioners

Versus

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

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

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)  
7<sup>th</sup> Floor, DMS Buildings  
358, Anna Salai  
Teynampet, Chennai – 600 006

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India



WP.No.22575 of 2023

praying to issue a Writ of Mandamus, directing the respondent authorities to consider the representations of the petitioner dated 14.07.2023 and pass orders directing the respondents to grant incentive marks to the petitioners for their Covid-19 duty and also 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 considering 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.M.Alagu Goutham for R1-R4  
Government Advocate  
Mr.M.Loganathan for R5

### **ORDER**

This writ petition has been filed seeking to direct the respondent authorities to consider the representations of the petitioner dated 14.07.2023 and pass orders directing the respondents to grant incentive marks to the petitioners for their Covid-19 duty and also grant of 20 percent reservation under Section 3(1) of Tamil Nadu Appointment on Preferential Basis in the



WP.No.22575 of 2023

Services under the State of Persons Studied in Tamil Medium (PSTM) Act 40 of 2010 to the petitioners considering 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 case of the writ petitioner that they have completed MBBS course and registered themselves in the Tamil Nadu Medical Council. Further, they are eligible for 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 in the recruitment process to be conducted by 5<sup>th</sup> respondent for filling up vacancies Assistant Surgeon/Medical Officers and they had worked during Covid Pandemic for a period of more than 1 year. It is their grievance that without giving preference to the Covid-19 doctors, the respondents authorities have released a notification on 11.10.2022 seeking to fill up 1021 vacancies including backlog vacancy of 75. Hence, they have submitted representation on 14.07.2023 seeking to consider the same, which are pending without consideration. Hence, this writ petition.



WP.No.22575 of 2023

3. Since, the prayer is limited seeking for a direction, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 14.07.2023 and pass appropriate orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this Order

4. With these directions, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

01.08.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No



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WP.No.22575 of 2023

**N.SATHISH KUMAR, J.**

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**W.P.No.22575 of 2023**

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(1/2)