



W.P.Nos.35788, 35790, 35801 & 35797 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.Nos.35788, 35790, 35801 & 35797 of 2023

N.Arumugam	... Petitioner in W.P.No.35788 of 2023
S.K.Rajasekar	... Petitioner in W.P.No.35790 of 2023
E.Paul Yesudoss	... Petitioner in W.P.No.35801 of 2023
V.Boopathy	... Petitioner in W.P.No.35797 of 2023

Vs.

- 1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, St. George Fort,
Chennai -9.
- 2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai - 10
- 3.The Director of Public Health and Preventive Medicine,
O/o.The Director of Public Health and Preventive Medicine,
DMS Campus, Teynampet,
Chennai-6. ... Respondents in all W.P.'s
- 4.The Deputy Director of Medical Services (Leprosy),
O/o. The Deputy Director of Medical Services,



W.P.Nos.35788, 35790, 35801 & 35797 of 2023

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DMS Campus, Teynampet,
Chennai-6.

... 4th Respondent in W.P.No.35788 of 2023

5.The Deputy Director of Health Services,
O/o. The Deputy Director of Health Services Office,
Race Course Road,
Coimbatore District. ... 4th Respondent in W.P.No.35790 of 2023

6.The Deputy Director of Health Services,
O/o. The Deputy Director of Health Services Office,
Pudukottai,
Pudukottai District. ... 4th Respondent in W.P.No.35801 of 2023

7.The Chief Water Analyst,
O/o. The Chief Water Analyst Laboratory,
King Institute Campus,
Guindy,
Chennai-22. ... 4th Respondent in W.P.No.35797 of 2023

PRAYER in W.P.No.35788 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to prepare the panel of eligible personnel for appointment to the post of Health Educator for the year 2022-2023 and to facilitate the Petitioner for appointment as Health Educator by Recruitment by Transfer in the light of additional information called for by the 3rd respondent in his proceedings in ந.க.எண்.1533818/படுதா4/இரு3/2021 dated 20.07.2022 by considering the petitioner's representation dated 22.02.2023 and 08.09.2023 within the period that may be stipulated by this Court.

PRAYER in W.P.Nos.35790, 35801 & 35797 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of



W.P.Nos.35788, 35790, 35801 & 35797 of 2023

Mandamus, directing the respondents 1 to 3 to prepare the panel of eligible personnel for appointment to the post of Health Educator for the year 2022-2023 and to facilitate the Petitioner for appointment as Health Educator by Recruitment by Transfer in the light of additional information called for by the 3rd respondent in his proceedings in ந.க.எண்.1533818/படுநா4/இரு3/2021 dated 20.07.2022 by considering the petitioner's representation dated 08.09.2023 within the period that may be stipulated by this Court.

In all W.P's
For Petitioners : Ajmal Associates
for Mr.C.Venkatesh Kumar

For Respondent : Mr.P.Ganesan (R1 to R4)
Government Advocate

COMMON ORDER

With the consent of both the parties, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. The petitioners have given a representation to the first and second respondents on 22.02.2023 and 08.09.2023 respectively, seeking to facilitate the petitioners for appointment as Health Educator by Recruitment by Transfer in the light of additional information called for



W.P.Nos.35788, 35790, 35801 & 35797 of 2023

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by the 3rd respondent in his proceedings in
ந.க.எண்.1533818/படுதா4/இரு3/2021 dated 20.07.2022. Since the said
representations have not been considered till date, the present Writ
Petitions have been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first and second respondents herein, to consider the petitioners' representation dated 22.02.2023 and 08.09.2023 respectively, on its own merits and pass appropriate orders in accordance with law, within a



W.P.Nos.35788, 35790, 35801 & 35797 of 2023

period of three (3) months from the date of receipt of a copy of this order.

It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, these Writ Petitions stand disposed of.

No costs.

22.12.2023

Index:Yes/No

Speaking order/Non-speaking order
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To

- 1.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
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Chennai -9.
- 2.The Director of Medical Education,
Directorate of Medical Education,
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O/o.The Director of Public Health and Preventive Medicine,
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W.P.Nos.35788, 35790, 35801 & 35797 of 2023

M.S.RAMESH,J.

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- 4.The Deputy Director of Medical Services (Leprosy),
O/o. The Deputy Director of Medical Services,
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O/o. The Deputy Director of Health Services Office,
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Coimbatore District.
- 6.The Deputy Director of Health Services,
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