



WEB COPY



W.A(MD)No.610 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.610 of 2023
and
C.M.P(MD)No.5728 of 2023**

P.Thiruvengadam
Appellant/Petitioner

...

-VS-

1.The Member Secretary,
Medical Service Recruitment Board,
359, Anna Salai, 7th Floor, DMS Building,
Chennai – 06.

2.The Director(Regulations),
Food Safety and Standards Authority of India,
FDA Bhawan,
Kotla Road,
New Delhi – 110 002.

3.The Secretary,
Ministry of AYUSH,
AYUSH Bhawan B-Block,
GPO Complex, INA,
New Delhi – 110 023
Respondents/Respondents

...

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order
dated 31.03.2023 made in W.P(MD)No.7323 of 2023.



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For Appellant : Mr.R.Karthick

For R-1 : Mr.R.Baskaran, Additional Advocate
General,

Assisted by

Mr.D.Sadiq Raja,
Additional Government Pleader

For R-2 & R-3 : Mr.K.Govindarajan,
Deputy Solicitor General of India

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Being aggrieved by the order of the Writ Court, dated 31.03.2023 made in W.P(MD)No.7323 of 2023, the appellant/writ petitioner has filed this writ appeal.

2. The Writ Court has non suited the writ petitioner only on the ground that the writ petitioner is a fence sitter and he had approached this Court after the order passed in the similar writ petition. By the time the petitioner has approached this Court, the recruitment process was over. The writ Court has exercised its discretion in not reopening the recruitment process. We do not think that we could interfere with such exercise of discretion. The writ appeal fails and it is accordingly, dismissed. No Costs. Consequently, connected miscellaneous petition is



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closed.

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[R.S.M., J.]

[L.V.G., J.]

28.04.2023

NCC :Yes/No
Index :Yes/No
PM

To:

The Member Secretary,
Medical Service Recruitment Board,
359, Anna Salai, 7th Floor, DMS Building,
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pm

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