



W.P.(MD).No.28769 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28769 of 2023

S.Srinivasan
Non Medical Supervisor,
Government Primary Health Centre,
Ukkirankottai,
Tirunelveli,
Tirunelveli District.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented 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,
Office of the Director of Public Health and Preventive Medicine,
DMS Campus,
Teynampet, Chennai – 6.



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4. The Deputy Director of Health Services,
Office of the Deputy Director of Health Services,
Tirunelveli,
Tirunelveli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court 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 third respondent in his proceedings in ந.க.எண்.1533818/பிநா4/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.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed by a Non Medical Supervisor seeking a mandamus as against the second respondent for considering his request for inclusion of his name in the panel for promotion to the post of Health Educator.



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2. According to the learned counsel appearing for the writ petitioner, on several occasions, the second respondent had called for particulars from the third respondent. The third respondent had furnished the particulars, by his proceedings, dated 27.01.2021, 23.04.2021, 06.10.2021 and 20.07.2022. however, so far, the second respondent had not prepared the panel, so that, it could be forwarded to the first respondent. The petitioner has also given a representation to the first respondent on 22.02.2023 seeking to expedite the prospectus in the said panel. Since there is no response, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4. Considering the above said facts, the second respondent herein is directed to consider the proposal forwarded by the third respondent and if it is found that the petitioner is eligible to be included in the panel, he may be included and forward the same to the first respondent within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above said observations, this Writ Petition stands allowed.

There shall be no order as to costs.

06.12.2023

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
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Chennai – 9.
2. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai – 10.
3. The Director of Public Health and Preventive Medicine,
Office of the Director of Public Health and Preventive Medicine,
DMS Campus,
Teynampet, Chennai – 6.
4. The Deputy Director of Health Services,
Office of the Deputy Director of Health Services,
Tirunelveli,
Tirunelveli District.



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R.VIJAYAKUMAR,J.

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