WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.9986 of 2011
and M.P.No.1 of 2011

J.Dheenathayalan .. Petitioner

-vs-

1. The Government of Tamil Nadu,
   Rep. by the Secretary to Government,
   Health & Family Welfare Department,
   Fort St. George, Chennai-9.

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

3. The Director and Superintendent,
   Institute of Child Health and Hospital
   for Children, Egmore, Chennai 600 008. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring the Amendment issued in G.O.Ms.No.47, Health & Family Welfare (C2) Department, dated 08.02.2007 and the Circular issued by the 3rd respondent in proceedings No.Ref.No.04910/E4/09, dated 16.11.2010 as null and void in so far as it excludes degree in Physics from the one of the prescribed qualification as per the original rule issued in Tamil Nadu

https://www.mhc.tn.gov.in/judis

WEB COPY

Medical Subordinate Service, for the post of Laboratory Supervisor and issue a consequential direction to the respondents to consider and promote the petitioner as Laboratory Supervisor with service and monetary benefits.

For the Petitioner : Mr.R.Saseetharan

For the Respondents : Mr.K.Karthik Jagannath
Govt. Advocate

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.R.Saseetharan, learned counsel for the petitioner and Mr.K.Karthik Jagannath, learned Government Advocate, for the respondents.

2. The learned Government Advocate, on oral instructions, submits that the petitioner is no more.

3. Moreover, the amendment under challenge is of the year 2007 and the petitioner seeks promotion as a Laboratory Supervisor.

https://www.mhc.tn.gov.in/judis

WEB COPY

In light of the above, the writ petition stands disposed of. If the cause to sue survives, then the further steps may be undertaken. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.) **(D.B.C., J.)**
01.02.2024

Index : Yes/No
Neutral Citation : Yes/No
sra

To

1. The Secretary to Government of Tamil Nadu,
   Health & Family Welfare Department,
   Fort St. George, Chennai-9.

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

3. The Director and Superintendent,
   Institute of Child Health and Hospital
   for Children, Egmore, Chennai 600 008.

https://www.mhc.tn.gov.in/judis

WEB COPY

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

WP No.9986 of 2011

01.02.2024

https://www.mhc.tn.gov.in/judis