



WEB COPY



W.P.No.44471 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2024

CORAM:

THE HON'BLE DR.JUSTICE **D.NAGARJUN**

W.P.No.44471 of 2016

and

WMP.No.38312 of 2016

1. Dr.V.K.Arul Kanmani
2. Dr.N.Sowmya
3. Dr.C.Kavirajan
4. Dr.R.Vasanth
5. Dr.A.Valliappan
6. Dr.C.Sibiarasu

...Petitioners

vs.

The Member Secretary,
Medical Services Recruitment Board (MRB),
7th Floor, DMS Building, No.359, Anna Salai,
Teynampet, Chennai – 600 006.
...Respondent

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioners for selection to the post of Assistant Surgeon (General) by allowing the petitioners to participate in the selection consequent to the Notification No.12/MRB/2016 dated 10.11.2016 issued by the respondent without reference to date of registration in Tamil Nadu Medical Council and consequently select and appoint the petitioners to the post of Assistant



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Surgeon (General) based on merit in selection.

For Petitioners : Mr.S.Nedunchezhiyan

For Respondent : Mr.L.Murugavelu

ORDER

This Writ petition has been filed for a direction to the respondent to consider the petitioners for selection to the post of Assistant Surgeon (General) by allowing them to participate in the selection consequent upon the Notification No.12/MRB/2016 dated 10.11.2016.

2. Heard learned counsel for the petitioners as also the learned counsel appearing for the sole respondent.

3. During the course of the submission, learned counsel for the petitioners submitted that, pursuant to the interim order dated 03.01.2017 at the time of admission, the petitioners were permitted to participate in the selection process and in the said selection process, the petitioners were selected and were working since long time, however, their services were not regularised and that they were not paid full salary.

4. The question of regularising the services of the petitioners and non-payment of full salary are not the subject matter of this Writ petition.



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Further, the sole respondent herein is the Medical Services Recruitment Board, which is nothing to do with the regularisation of the services of the petitioners and payment of full salary as the job of the sole respondent was already been completed once the recruitment is over.

5. As the petitioners were already considered for the recruitment as per the interim orders of this Court, the purpose for which the petitioners have filed this Writ petition has already been fulfilled and therefore, nothing survives for further adjudication.

6. In view of the above, this Writ petition stands disposed of. However, the petitioners are at liberty to agitate in respect of their regularisation and also non-payment of full salary by way of filing another Writ petition, if they are advised so. No costs. Consequently, the connected Miscellaneous petition is closed.

11.03.2024

skt

Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

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D.NAGARJUN, J.

skt

To

The Member Secretary,
Medical Services Recruitment Board (MRB),
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