



WEB COPY



WP No. 5761 / 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM :

THE HONOURABLE DR. JUSTICE D. NAGARJUN

Writ Petition No. 5761 of 2016
and
W.M.P. No. 5094 of 2016

V. Malarvizhi

...Petitioner

Versus

1.The Secretary for Health and
Family Welfare (C2) Department,
St. George Fort, Chennai – 9.

2.The Medical Service Recruitment Board,
7th Floor, DMS Building,
359 Anna Salai, Teynampet,
Chennai – 6.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, calling for the records relevant to the impugned Government Order (MS) No. 3, Health and Family Welfare (C2) Department dated on 06.01.2016 passed by the first respondent and the consequential notification 5(f) in No.6/MRB/2016 dated 31.01.2016 passed by the second respondent and to direct the second respondent to include Deaf persons in the class of physically handicapped persons in class 5(F) of that notification, as



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obtained in the previous reservation list dated on 05.02.2013 of the second respondent and to select the petitioner under the special category of physically handicapped persons for pharmacist post.

For Petitioner : No appearance.

For Respondents : Mr. S. Ravikumar,
Special Government Pleader for R1.
No appearance for R2.

ORDER

When this matter was taken up for hearing on 10.01.2024, there was no representation for the petitioner. Today this matter is listed under the caption for dismissal. Even today, neither the petitioner nor his counsel is present. It appears that the petitioner has no interest in prosecuting this case may be on account that the cause does not survive.

2.Learned Special Government Pleader appearing for the first respondent is present and there is no representation on behalf of the second respondent. It is reported earlier by the learned counsel for the second respondent that G.O.(Ms) No. 3 dated 06.01.2016 does not include the physically challenged, in so far as deaf persons are concerned and includes only locomotor disability. The petitioner has not challenged the said G.O.(Ms) No. 3 dated 06.01.2016.



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WEB COPY 3. Hence, this writ petition is dismissed for non-prosecution. No costs. Consequently, the connected Miscellaneous petition is closed.

12.01.2024

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

The Secretary for Health and
Family Welfare (C2) Department,
St. George Fort, Chennai – 9.



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DR. D. NAGARJUN, J

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W.P. No.5761 of 2016
and
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