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W.P.No.35507 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35507 of 2024

D. Karoline

...Petitioner

Vs

1. State of Tamil Nadu
represented by its
Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2. The Director of Medical and Rural Health Services,
Teynampet, Chennai.

3. The Director of Medical Education and Research,
Kilpauk, Chennai – 600 010.

4. The Joint Director of Health Services,
Kanchipuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation dated 06.06.2024 made by the petitioner along with her proforma particulars and service particulars and publish the panel list of the year 2024-2025 for the post of Deputy Director of Medical and Rural



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Health Services (Nursing) and promote the petitioner as Deputy Director of Medical and Rural Health Services(Nursing) based on her senior most Nursing Tutor Grade -I Qualification and pass orders.

For Petitioner : Mr.S. Doraisamy

For Respondents : Mr.M.Bindran
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondents to consider the representation dated 06.06.2024 made by the petitioner along with her proforma particulars and service particulars and publish the panel list for the year 2024-2025 for the post of Deputy Director of Medical and Rural Health Services (Nursing) and promote the petitioner as Deputy Director of Medical and Rural Health Services(Nursing) based on her seniority.

3. The facts of the case is that the petitioner is working as Nursing Tutor Grade-I at Kanchipuram Government Head Quarters Hospital. It is



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pertinent to note that the Directorate of Medical Education and Research, Kilpauk/third respondent herein has called for preparation for panel for the year 2024-2025 to the post of Deputy Director of Medical and Rural Health Services(Nursing) on 04.06.2024, but till date panel has not been finalised. The sum and substance of the case is that the petitioner should be considered while preparing the panel as she is senior most person and most eligible person to hold the post of Deputy Director of Medical and Rural Health Services(Nursing). Due to which she made a representation to the respondents on 06.06.2024. However, no action has been taken by the respondents for preparing the panel. Hence this petition.

4.The learned counsel for the petitioner submitted that as the petitioner is going to retire on 31.03.2025, a direction may be issued to the respondents to consider the petitioner's representation and finalise the panel as early as possible.

5. The learned Additional Government Pleader appearing for the respondent submitted that the representation of the petitioner will be considered while preparing the panel.



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6.Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the case of the petitioner while preparing the panel for the year 2024-2025 and pass orders on merits and accordance with law.

7.With the above directions, this Writ Petition stands disposed of.
No order as to costs.

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Index:Yes/No

Speaking order/Non-speaking order

smn

To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2. The Director of Medical and Rural Health Services,
Teynampet, Chennai.

3. The Director of Medical Education and Research,
Kilpauk, Chennai – 600 010.

4. The Joint Director of Health Services,
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V.BHAVANI SUBBAROYAN,J.

Smn

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