



W.P.(MD)No.228 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.228 of 2019

T.Sathya

: Petitioner

Vs.

1.The Director of Medical and Rural Services,
Office of the Directorate of Medical and Rural Services,
Mount Road,
Chennai – 06.

2.The Dean,
Madurai Medical College,
Madurai.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the first respondent herein bearing No.3148/N2/1/2019 dated 23.01.2019 and quash the same insofar as it relates to rejection of the petitioner's request to re-fix her seniority in the post of Nursing Tutor Grade II by placing the petitioner in the panel year of 2008-2009 and



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consequently direct the respondents to re-fix her seniority in the post of Nursing Tutor Grade II by placing the petitioner in the panel year of 2008 – 2009 with all subsequent monetary and service benefits to the petitioner.

*[Prayer amended vide Court order dated
15.09.2023 in W.M.P.(MD)No.3545 of 2019]*

For Petitioner : Mr.Xavier Rajini
For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned order dated 23.01.2019 passed by the first respondent rejecting the petitioner's request to re-fix her seniority in the post of Nursing Tutor Grade-II, by placing the petitioner in the panel year 2008 – 2009 and consequently to direct the respondents to re-fix her seniority for the post of Nursing Tutor Grade-II, placing the petitioner in the panel year 2008 – 2009 with all subsequent monetary and service benefits.

2.Learned Counsel for the petitioner would now submit on instructions that it would suffice if the petitioner is allowed to give a



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fresh representation seeking for reconsideration of the impugned order and for re-fixation of her seniority in the post of Nursing Tutor Grade-II by placing the petitioner in the panel year 2008-2009 and by paying all subsequent monetary and service benefits to the petitioner and if a direction is issued to the respondents to consider the said representation of the petitioner on merits and in accordance with law within a time frame to be fixed by this Court.

3.No prejudice will be caused to the respondents if such a direction is issued.

4.Learned Government Advocate appearing for the respondents has also not raised any serious objection if such a direction is issued by this Court.

5.For foregoing reasons, this Court directs the petitioner to submit a fresh representation to the first respondent seeking for reconsideration of the impugned order dated 23.01.2019 and requesting the first respondent to re-fix her seniority in the post of Nursing Tutor Grade-II, by placing the petitioner in the panel year 2008 – 2009 and by paying the petitioner the subsequent monetary and service benefits within a period of two [2] weeks from the date of



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receipt of a copy of this order. On receipt of the said representation, the first respondent shall consider the same on merits and in accordance with law within a period of twelve [12] weeks thereafter.

6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

16.10.2024

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To

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ABDUL QUDDHOSE, J.

MR

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