



WP(MD). No.11870 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 06/06/2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD) No.11870 of 2024

1.Gayathri
2.G.Nagajothi
3.J.Nithya

... Petitioners

Vs

1.The State of Tamilnadu
Rep. by its Principal Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai 6

2.The Director,
Medical and Rural Health Services,
DMS Building, Annasalai
Teynampet, Chennai.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the respondents to absorb the petitioners to the post of Nurses permanently in the Government hospitals/health care institutions and issue relevant posting orders in the light of the order passed in WP No.2424/2023 dated 27.06.2023 on the file of this Court by considering the representation dated 16.04.2024.

For Petitioner : M/s.S.Ramachandran



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For Respondent : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.S,Ramachandran, learned counsel for the petitioner, and Mr.J.Ashok, learned Additional Government Pleader, for the respondents.

2.This writ petition has been filed for a direction to the respondents to absorb the petitioners to the post of Nurses permanently in the Government hospitals/health care institutions and issue relevant posting orders in the light of the order passed in WP No.2424/2023 dated 27.06.2023 by considering the representation dated 16.04.2024.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioner submitted that since the petitioners are found to be eligible to be considered for the post of Nurses in the Government hospitals, they have sent representations to the



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respondents. However, since the said representations were not considered and hence, they are before this Court by filing this writ petition.

5. Earlier in WP(MD) No.2424/2023 filed by similarly placed persons, the following order has been passed:

“17. For all the foregoing reasons, the impugned orders in all these writ petitions are quashed. Consequently, there shall be a direction to the Secretary to the Government, Health and Family Welfare Department, to forthwith pass appropriate orders, permanently absorbing the petitioners to the post of Nurses in Government hospitals / Health care Institutions and issue relevant posting orders, within a period of six weeks from the date of receipt of a copy of this order. If required, the petitioners may be subjected to certificate verification by the MSRB for their appointment under the Notification No.02/MRB/2019, dated 07.02.2019. “

6. Even though the petitioners were not parties to the said writ petitions, they are also similarly placed. In pursuant to the order of this Court, 977 similarly placed persons have been called upon to participate in the counselling held by the 2nd respondent through proceedings dated 08.02.2024.



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7. However, the learned Additional Government Pleader submitted that these petitioners are differently placed and they cannot claim parity with the persons, who have been called to attend the counselling. However, on the representations made by the petitioners, no order has been emanated from the side of the respondents.

8. In view of the above, the respondents are directed to consider the representation of the petitioners and pass orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

9. The writ petition is disposed of with the above direction. No costs.

06.06.2024
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NCC : Yes/No
Index : Yes/No

RR



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To

1. The Principal Secretary to Government
Health and Family Welfare Department
Fort St. George,
Chennai 6

2. The Director,
Medical and Rural Health Services,
DMS Building, Annasalai
Teynampet, Chennai.



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R.N.MANJULA, J.

RR

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