



W.P.(MD)No.11892 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11892 of 2024 &
W.M.P.(MD)No.10599 of 2024

M.Raja

... Petitioner

vs.

1.The Principal Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Director,
Director of Medical and Rural Health Services,
DMS Complex,
Anna Salai,
Chennai - 600 006.

3.The Joint Director of Health Services,
O/o.J.D. Health Services,
17, VOC Road,
Cantonment,
Trichy - 620 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 2nd respondent bearing Na.Ka.No.



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27636/Si.Ka2/3/2022 dated 20.02.2024 and quash the same as arbitrary and illegal and consequently direct the respondents to include the petitioner's name in the promotion panel for J.A.O drawn for the year 2020-2021 dated 24.02.2021, approved on 21.07.2022 and place the petitioner in the appropriate place and allow attendant benefits.

For Petitioner : Mr.S.Sivailayaraja

For Respondents : Mr.N.Ramesh Arumugam.
Government Advocate

ORDER

Heard Mr.S.Sivailayaraja, learned counsel appearing for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents.

2. The petitioner has filed this writ petition seeking a Writ of Certiorarified Mandamus to call for the records of the impugned order of the second respondent bearing Na.Ka.No.27636/Si.Ka2/3/2022 dated 20.02.2024, quash the same and consequently direct the respondents to include his name in the promotion panel for J.A.O drawn for the year 2020-2021 dated 24.02.2021, approved on 21.07.2022 and place him in the appropriate place and allow attendant benefits.



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3. On perusal of the impugned order, it is seen that the appropriate remedy available to the petitioner is by way of filing an appeal before the Principal Secretary to Government, Health and Family Welfare Department, Secretariat, Chennai - 600 009, who is the first respondent herein. However, without exhausting the said remedy, the petitioner has straightaway filed a writ petition before this Court and hence, I feel that this writ petition itself is not maintainable.

4. In view of the above stated reasons, the writ petition is **dismissed** and the petitioner is at liberty to invoke the appellate remedy available to him within the period of limitation. No costs. Consequently, connected Miscellaneous Petition is closed.

07.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

mbi



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To

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R.N.MANJULA, J.

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