



W.P.(MD)No.20187 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20187 of 2024

S.P.Kanimozhi

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai – 9.
 - 2.The Director(Personal),
Department of Public Health & Preventive Medicine,
No.359, DMS Complex,
No.361, Anna Salai, Chennai – 6.
 - 3.The Director,
Directorate of Medical & Rural Health Services,
No.359, DMS Complex,
No.361, Anna Salai, Chennai – 6.
 - 4.The Mission Director,
State Health Society,
Department of Public Health & Preventive Medicine,
No.359, DMS Complex,
No.361, Anna Salai, Chennai – 6.
 - 5.The Member Secretary,
Medical Services Recruitment Board,
7th Floor, DMS Building,
No.361, Anna Salai, Chennai – 6.
- ...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to absorb the petitioner in the regular time scale pay in the regular vacancies for the post of Pharmacist as per G.O.Ms.No.335, Health and Family Welfare (C1 Department), dated 12.11.2015 as ordered in W.P.Nos.14122, 35833 of 2023 and 8227, 15628 and 19707 of 2024, dated 15.07.2024 by considering the representation dated 01.08.2024 within a time frame.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1 to R4
Mr.V.Ramesh
Standing Counsel for R5

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ORDER

The present Writ Petition has been filed by the petitioner having B.Pharm qualification seeking a Mandamus as against the respondents to absorb her in the regular time scale of pay in the regular vacancies for the post of Pharmacist, as per G.O.(Ms) No.335, Health and Family Welfare (C1 Department), dated 12.11.2015.

2.According to the petitioner, she was appointed on 19.11.2015 as Block Level Pharmacist at Puduvayal under the Block Medical Officer GPHC,



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Sakkottai, Sivagangai District. The appointment process was outsourced to Bevast Management Consultants Private Limited in Chennai by the second respondent. In the meantime, the fifth respondent has issued a Notification inviting applications by online mode for direct recruitment on temporary basis to the post of Pharmacists in Tamil Nadu Medical Service. The notification has been issued for 986 vacancies. The petitioner has also participated in the recruitment process, but she was not selected.

3.According to the learned counsel appearing for the writ petitioner, nearly about 260 persons, who are similarly placed got appointment as Block Level Pharmacists, had approached the Principal Seat of this Court by filing Writ Petitions in W.P.Nos.14122, 35833 of 2023 and 8227, 15628 and 19707 of 2024. The learned Single Judge of this Court, by an order dated 15.07.2024, was allowed the said writ petitions with a direction to regularise the service of the petitioners in the regular vacancies in the post of Pharmacist by following G.O.(Ms) No.335, Health and Family Welfare (C1 Department) dated 12.11.2015, within a period of eight weeks from the date of receipt of the copy of the order, without disturbing the candidates, who are selected as per the Notification of the year 2022.



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4. Seeking similar relief, the petitioner has addressed a representation to the respondents on 01.08.2024. Since there is no response, the present writ petition has been filed.

5. Considering the above said facts, the second respondent herein is directed to consider the representation of the petitioner dated 01.08.2024, in the light of G.O.(Ms) No.335, Health and Family Welfare (C1 Department) dated 12.11.2015 and the orders of this Court in W.P.Nos.14122, 35833 of 2023 and 8227, 15628 and 19707 of 2024, dated 15.07.2024 and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above said observations, this Writ Petition stands disposed of.
No costs.

23.08.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No

RJR



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R.VIJAYAKUMAR, J.

RJR

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