



W.P.(MD).No.20495 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20495 of 2024

and

W.M.P.(MD) Nos. 17392, 17393 and 17397 of 2024

B.Bairose Kani

... Petitioner

Vs.

1. The Director of Medical and
Rural Health Services,
No.359, DMS Complex,
361, Anna Salai,
Chennai – 600 006.
2. The Joint Director,
Medical and Rural Health Services,
Virudhunagar.
3. The Chief Medical Officer,
Government Hospital,
Sivakasi,
Virudhunagar District.
4. N.Hemalatha
Typist,
Government Hospital T.Vadipatti,
Madurai District.

... Respondents



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(R4 is impleaded vide order of this Court dated 30.09.2024 in W.M.P(MD) No.19861 of 2024 in W.P(MD) No. 20495 of 2024)

(R4 is amended vide order of this Court dated 04.10.2024 in W.M.P(MD) No. 20035 of 2024 in W.P(MD) No. 20495 of 2024)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the panel for the post of Assistant for the year 2024-2025 issued by the first respondent in his proceedings in Ref.No. 42742/E2/1/2024, dated 14.08.2024 in so far as the non-inclusion of the name of the petitioner is concerned and the consequential publication of temporary panel for the post of Assistant for the year 2024-2025 and the temporary promotional orders issued by the first respondent in his proceedings in Ref.No.42742/E2/1/2024, dated 16.08.2024 in so far as the same relates to Annexure II without including the name of the petitioner is concerned and the proceedings of the first respondent in his proceedings in Ref.No.42742/E2/1/2024, dated 16.08.2024 for conducting promotional counselling to the post of Assistant for the panel for the panel year 2024 -2025 without including the name of the petitioner is concerned and quash the same as illegal and consequentially to direct the respondents to include the name of the petitioner in the panel for the post of Assistant for the year 2024-2025 on par with her junior and conduct the said promotion counselling afresh within the time that may be stipulated by this Court.



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For Petitioner : Mr.T.S.Mohammed Mohideen

For R1 to R3 : Mr.S.Shaji Bino
Special Government Pleader

For R4 : Mr.Ramsundar Vijayaraj

ORDER

The instant Writ Petition has been filed by a Junior Assistant, challenging the panel published by the first respondent on 14.08.2024 for the post of Assistant for the year 2024 – 2025.

2. According to the learned counsel appearing for the writ petitioner, though there are no charges pending as against the writ petitioner and she is eligible to be included in the said panel, her name has been left out by mistake.

3. Pending writ petition, the Director of Medical and Rural Health Services passed an order on 11.09.2024, including the name of the writ petitioner in the panel and restoring her seniority.



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4. On 20.09.2024, the writ petitioner was posted as an Assistant in ESI Dispensary, Srivilliputhur. However, modifying the said transfer order a fresh posting order has been issued on 23.10.2024, appointing the writ petitioner as Assistant in Government Hospital, Kallamanaiyakanpatti, Virudhunagar District.

5. Since the name of the petitioner has already been included in the panel and seniority restored and the petitioner has also been given posting orders, nothing survives to be adjudicated in this writ petition. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

23.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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