



W.P.(MD)No.20621 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.20621 of 2021

and

W.M.P.(MD).Nos.17252 & 17253 of 2021

S.Saraswathi

... Petitioner

Vs.

1.The Director,
Directorate of Medical Education,
Kilpauk,
Chennai.

2.The Dean,
Tirunelveli Medical College Hospital,
Tirunelveli.

3.Tamilselvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari Mandamus, to call for the records in the impugned order in Ref.No.22233/E5/2/2021 dated 16.09.2021 passed by the first respondent, consequential impugned appointment order passed in Ref.No. 15485/E3/2021, dated 23.09.2021 by the second respondent and quash the same and further direct the second respondent to proceed with the notification in Na.Ka.No.2817/Nee.3/2020 dated 11.08.2021 by the second respondent within stipulated time frame that may be fixed by this Court.



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For Petitioner : Mr.K.Gokul
For R-1 & R-2 : Mr.T.Amjad Khan,
Government Advocate
For R-3 : No Appearance

ORDER

This Writ Petition has been filed challenging the impugned order in Ref.No.22233/E5/2/2021, dated 16.09.2021, passed by the first respondent and the consequential impugned appointment order in Ref.No.15485/E3/2021, dated 23.09.2021, passed by the second respondent and consequently to direct the second respondent to proceed with the notification in Na.Ka.No.2817/Nee. 3/2020, dated 11.08.2021, within stipulated time frame that may be fixed by this Court.

2. Learned counsel appearing for the petitioner would submit that in this Writ Petition the appointment of the third respondent to the post of Audiometrician has been challenged. Since the petitioner has already been transferred and posted at Villupuram District, she is no longer interested in challenging the appointment of the third respondent to the said post. However, since there is a vacancy for the very same post at Tirunelveli District, where the petitioner is presently residing, he would submit that it would suffice if the



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petitioner's application seeking for posting her at Tirunelveli District in the place where the third respondent was earlier placed is considered on merits and in accordance with law within a time frame to be fixed by this Court.

3. No prejudice would be caused to the respondents, if the request made by learned counsel appearing for the petitioner is considered on merits and in accordance with law by the respondents within a time frame to be fixed by this Court.

4. After recording the submissions made by the learned counsel appearing for the petitioner that the petitioner is no longer interested in challenging the appointment of the third respondent, this Court permits the petitioner to submit a fresh representation to the second respondent seeking to post her in Tirunelveli District as an Audiometrician in the place of Tamilselvi in which the petitioner was earlier posted and has now been transferred to Villupuram District, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law within a period of eight weeks thereafter.



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5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

11.09.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Director,
Directorate of Medical Education,
Kilpauk,
Chennai.

2.The Dean,
Tirunelveli Medical College Hospital,
Tirunelveli.

ABDUL QUDDHOSE, J.



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