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W.P No.18370 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.18370 of 2025

and

Writ Miscellaneous Petition Nos.20567 & 20569 of 2025

Dr.C.Thiruppathy

... Petitioner

..Vs..

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

2.The Commissioner of Food Safety,
Office of the Commissionerate of Food Safety,
Teynampet, Chennai 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to permit the petitioner to participate in the transfer counselling to be conducted in pursuant to the proceedings of the 2nd respondent in R.No.4910/2022/S12/FSD dated 12.05.2025 (sic. 12.05.2024), as last candidate to avail the benefit of posting in the vacancy that would remain unfilled for want of Designated Officer at the end of the transfer counselling, in consideration of representation submitted by the petitioner dated 29.01.2025; 24.04.2025 and 08.05.2025, within a time frame to be fixed by this Court.



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For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.Tippu Sultan,
Government Advocate

ORDER

The instant writ petition has been filed with a prayer for mandamus to permit the petitioner to participate in the transfer counselling to be conducted in pursuant to the proceedings in R.No.4910/2022/S12/FSD dated 12.05.2025 by the 2nd respondent.

2. The learned counsel appearing on behalf of the petitioner would submit that though the petitioner had filed the writ petition for seeking mandamus, to permit the petitioner to participate in the transfer counselling dated 12.05.2025, now that, the counseling had already been conducted, therefore, restrict his prayer to direct the respondents to consider his representation for transfer to Vellore.

3. At this juncture, the learned Government Advocate appearing on behalf of the respondents would submit that by virtue of G.O.(D).No.4, Health and Family Welfare (M1) Department, dated 07.01.2025, the petitioner become ineligible to participate in the counseling and would further submit



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that, if any representation is received from the petitioner, the same will be considered by them in accordance to its own merits and in accordance with law within a reasonable time.

4. Heard the submissions of the learned counsel on either side and also perused the materials available on record.

5. In view of the above submission made by the learned Government Advocate, the petitioner is directed to give a fresh representation to the respondents within a period of one (1) week from the date of receipt of a copy of this order and on such receipt the representation, the respondents are directed to consider the same and pass order according to its own merits and in accordance with law, within a period of two (2) weeks, thereafter.

6. With the above observations, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions stand closed.

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Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No

To:

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

2. The Commissioner of Food Safety,
Office of the Commissionerate of Food Safety,
Teynampet,
Chennai 600 006.

C. KUMARAPPAN, J.

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