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W.P.No.21359 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.21359 of 2025

G.Anbuselvi

... Petitioner

Vs.

1.The Director of Medical Services,
Chennai – 600 006.

2.The Joint Director of Health Services,
Kancheepuram – 631 501.

3.The Superintendent,
Government Headquarters Hospital,
Kancheepuram – 631 501.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to send the petitioner's Service Register to the office of the third respondent as requested by the third respondent in Na.Ka.No.7219/Ni-2/16 dated 27.03.2025 and further direct the respondents to settle all her retirement benefits with interest as applicable within a time limit to be fixed by this Court.



W.P.No.21359 of 2025

WEB COPY

For Petitioners

: Mr.p.Rajendran

For Respondent

: Mr.K.Tippu Sultan
Government Advocate

ORDER

The instant writ petition has been filed with a prayer for issuing a mandamus, to direct the 2nd respondent to send the petitioner's Service Register to the office of the third respondent as requested by the third respondent in Na.Ka.No.7219/Ni-2/16 dated 27.03.2025 and further direct the respondents to settle all her retirement benefits with interest.

2. The learned counsel for the petitioner would submit that the petitioner was appointed as Staff Nurse on 04.03.1987 and retired from the service on 30.09.2016, but no retirement benefits were paid to her on account of the non-regularization of her period of absence from 01.01.2011 to 31.15.2011. It is further submitted that, in this connection, the petitioner has already filed a Writ Petition in W.P.No.21974 of 2023 seeking consideration of her representation. This Court, vide order dated 26.07.2023, directed the 1st respondent to consider the petitioner's representation within a period of two months from the receipt of the copy of the order. Despite such direction,

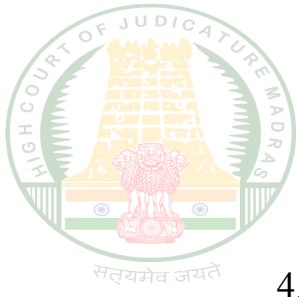


W.P.No.21359 of 2025

WEB COPY

the second respondent has not forwarded the Service Register to the third respondent. Hence, the petitioner has filed the present writ petition seeking a direction to the second respondent to forward the Service Register to the third respondent.

3. The learned Government Advocate appearing for the respondents would submit that he will advise the second respondent to send the Service Register to the third respondent. He further submits that, on a perusal of the facts, this Court has already directed, by an order dated 26.07.2023, the first respondent to pass appropriate orders within a period of two months. Therefore, there is a responsibility on the part of the first respondent, who is the superior officer of the second respondent, to pass the appropriate orders. Since no order has been passed so far, it does not confer any fresh cause of action on the petitioner to file yet another writ petition. If the petitioner has any remedy, it should be by filing a contempt petition in the earlier writ petition.



W.P.No.21359 of 2025

WEB COPY

4. In view of the above, this Court does not find any merits in the present writ petition. Accordingly, this writ petition is dismissed.

18.06.2025

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

- 1.The Director of Medical Services,
Chennai – 600 006.
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Kancheepuram – 631 501.
- 3.The Superintendent,
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WEB COPY



W.P.No.21359 of 2025

C.KUMARAPPAN, J.

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W.P.No.21359 of 2025

18.06.2025