



W.P.(MD).No.15000 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15000 of 2025

and

W.M.P.(MD)No.11216 of 2025

S.Reshma

... Petitioner

-vs-

1. The Chairman,
Medical Services Recruitment Board,
7th Floor, DMS Buildings,
359, Anna Salai, Teynampet,
Chennai - 600006.

2. The Director of Public Health and Preventive Medicine,
No.64,75, Varadarajapuram Main Road,
Chokkalingam Nagar, Teynampet,
Chennai - 600006.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to review the answer to question No. 32 by constituting medical team on the subject of cardiology based on petitioner's representation dated 18.03.2025.

For Petitioner : Mr.N.Sundaresan

For Respondents : Mr.S.R.A.Ramachandran

Additional Government Pleader



W.P.(MD).No.15000 of 2025

ORDER

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This writ petition has been filed seeking a direction to the 1st respondent to review the answer to question No. 32 by constituting medical team on the subject of cardiology based on petitioner's representation dated 18.03.2025.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner is an MBBS Graduate and registered with Tamil Nadu Medical Council on 24.07.2023. A notification was issued by the first respondent for the post of Assistant Surgeon (General) and the petitioner also applied for the same and appeared for the examination on 05.01.2025. Thereafter, the key answers to the questions were released. Since there were some incorrect answers, some objections were made by several candidates including the petitioner. The first respondent, after scrutinizing the objections made by the candidates, reviewed the answers and re-released the key answers. The petitioner scored 58 marks and he was called for certificate verification on 14.02.2025. Since several candidates secured 58 marks, the appointment was based on the month and year of birth. However, the



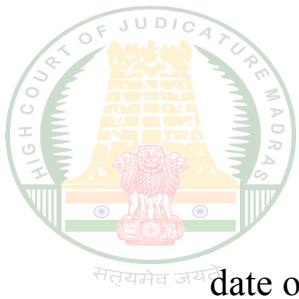
W.P.(MD).No.15000 of 2025

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petitioner's name was not notified. The petitioner made an objection to question No.32, for which the correct answer is option B. However, in the key answers, Option A is marked. In this regard, the petitioner made a representation dated 18.03.2025. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 18.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be necessary in the subject matter, within a period of two months from the



W.P.(MD).No.15000 of 2025

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date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.06.2025

NCC : Yes/No
Index : Yes / No
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W.P.(MD).No.15000 of 2025

VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.15000 of 2025

Dated:
02.06.2025