



**W.P.(MD).No.19963 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 30.01.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.19963 of 2024**

**and**

**W.M.P.(MD).Nos.16928, 16930 & 16931 of 2024**

L.Parasakthi

... Petitioner

**Vs**

1. The Director,  
Directorate of Medical and Rural Health Service,  
Chennai.

2. The Joint Director,  
The Medical and Rural Health Services,  
Virudhunagar.

3. The Chief Civil Surgeon,  
Medical Officer,  
Government Head Quarters Hospital,  
Aruppukottai,  
Virudhunagar District.

4. K.Kalaiselvi  
*(R4 impleaded vide Court order  
dt 30.09.2024 in W.M.P.(MD).19508/2024  
in WP(MD).19963/2021 by RVJ)*

... Respondents



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**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the 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 1<sup>st</sup> 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 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.

|                           |                                                    |
|---------------------------|----------------------------------------------------|
| For Petitioner            | : Mr.Mohammed Imran<br>for<br>M/s.Ajmal Associates |
| For Respondent Nos.1 to 3 | : Mr.T.Amjadkhan<br>Government Advocate            |
| For Respondent No.4       | : Mr.S.Ramsundar Vijayaraj                         |



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## **ORDER**

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The instant writ petition has been filed by a Junior Assistant, now working in the Government Headquarters, Hospital, Aruppukottai, Virudhunagar District, seeking to quash the panel for the post of Assistant for the year 2025, issued by the first respondent, on 14.08.2024, on the ground that her name has been erroneously excluded.

2. Pending writ petition, the respondent authorities submitted that the name of the petitioner was erroneously excluded and thereafter they issued promotion orders to the writ petitioner as Assistant and also restored the seniority of the writ petitioner.

3. It is the grievance of the writ petitioner that if she had participated in the promotion counselling, she would have been accommodated at Kamuthi which is nearby her home town. However, the fourth respondent herein, who is much junior to the writ petitioner was allotted to Kamuthi. Therefore, the petitioner has been posted as Assistant in Joint Director office at Virudhunagar.



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4. The learned Counsel appearing for the fourth respondent herein, on instructions submitted that based upon the promotion counselling, transfer orders have been issued to the fourth respondent to Government Hospital, Kamuthi, and she is working there from 22.08.2024. According to the learned Counsel appearing for the fourth respondent, the fourth respondent has shifted her family and her children are studying at Kamuthi. Therefore, any disturbance at this point of time would affect the education of her children. He further submits that, she is willing to get herself transferred to the place of the writ petitioner namely office of the Joint Director of Health Services, in case transfer orders are issued after 30.04.2025.

5. In view of the above said facts, this court is inclined to pass the following orders :

a) The fourth respondent shall be retained at Kamuthi till **30.04.2025**.

b) **After 30.04.2025**, the writ petitioner may be transferred to Kamuthi and in her place the fourth respondent may be posted to the office of the Joint Director of Health Services At Virudhunagar District.



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c) The said exercise shall be done between **01.05.2025 to 20.05.2025**.

6. With the above said observations, this writ petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

**30.01.2025**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
gvn

To

1. The Director,  
Directorate of Medical and Rural Health Service,  
Chennai.

2. The Joint Director,  
The Medical and Rural Health Services,  
Virudhunagar.

3. The Chief Civil Surgeon,  
Medical Officer,  
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**R.VIJAYAKUMAR,J.**

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