



W.P.(MD)No.22925 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.03.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

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Government Diploma Medical Lab Technician Association,
rep by its State General Secretary,
P.U.Shajahan,
D.No.19, Vinayagamoorthy Street,
Sathamangalam,
Madurai-7.

... Petitioner

vs.

- 1.The Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai 600 009.
- 2.The Director of Medical Education (DME),
State of Tamil Nadu,
Kilpauk,
Chennai 600 010.
- 3.The Director of Medical Service (DMS),
DMS Campus, Teynampet,
Chennai 600 006.
- 4.The Dean,
Government Rajaji Hospital, Madurai.



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5. The Dean,

Government Rajiv Gandhi Medical College Hospital,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 5 herein to sanction and fill up the suitable vacancies for the post of Lab Technician Grade-I and Grade-II and Chief Lab Technical Officer (CLTO) in the existing 150 blood banks functioning under the Tamil Nadu Health and Family Welfare Department on permanent basis as per the recommendation National Medical Commission (NMC) by considering the representation dated 18.08.2022 within stipulated the time fixed by this Court.

For Petitioner :Ms.T.Kalaiselvi

For Respondents :Mr.F.Deepak

Special Government Pleader

ORDER

This Writ Petition has been filed with the following prayer:-

“directing the respondents 1 to 5 herein to sanction and fill up the suitable vacancies for the post of Lab Technician Grade-I and Grade-II and Chief Lab Technical Officer (CLTO)



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in the existing 150 blood banks functioning under the Tamil Nadu Health and Family Welfare Department on permanent basis as per the recommendation National Medical Commission (NMC) by considering the representation dated 18.08.2022 within stipulated the time fixed by this Court.”

2. The facts of the case in a nutshell, led to filing of this Writ Petition and necessary for disposal of the same, are as follows:-

The petitioner is holding the post of State General Secretary of Government D.M.L.T. Association. As per the recommendation of the National Medical Commission, each blood banks attached to the Medical College Hospital should be sanctioned with 6 staff. Accordingly, for the 30 Medical College Hospitals, connected blood banks should be sanctioned with not less than 180 staff. However, the respondents have not sanctioned and filled up suitable vacancies for the post of Lab Technician Grade -II and Grade-I and Chief Lab Technical Officer in the 150 blood banks functioning under Tamil Nadu Health and Family



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Welfare Department. In this regard, the petitioner made several representations before the respondents and lastly, a representation was given on 18.08.2022, copy of which is enclosed in page No.13 of the paper book, but no heed was paid by the respondents nor the representation of the petitioner was considered. Thus, being no other alternative, the petitioner has filed the present Writ Petition seeking the relief as stated supra.

3. Heard Ms.T.Kalaiselvi, learned counsel for the petitioner, Mr.F.Deepak, learned Special Government Pleader for the respondents.

4. The learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this Writ Petition, submits that the second respondent may be directed to decide the representation of the petitioner dated 18.08.2022 by way of a reasoned and speaking order in accordance with law within the time stipulated by this Court.



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5. Mr.F.Deepak, learned Special Government Pleader for the respondents submits that the petitioner is not entitled to the relief claimed in the writ petition. It was further submitted that if the petitioner has any grievance, he may file a fresh representation before the second respondent along with his grievances and claim and the same will be decided by the second respondent by way of a reasoned and a speaking order in accordance with law within the time stipulated by this Court.

6. After considering the arguments advanced by the learned counsels for the parties and after perusing the records and averments made in the Writ Petition, this Court deems it appropriate that no useful purpose will be served in keeping this Writ Petition pending before this Court.

7. Accordingly, the petitioner is directed to file a fresh representation before the second respondent bringing his claim and grievances annexing a copy of the representation dated 18.08.2022 within a period of four weeks from today. If any such representation is



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filed by the petitioner before the second respondent as per the time stipulated by this Court, the second respondent is directed to consider the same and pass a reasoned and a speaking order and in accordance with law, within a period of two months from the date of receipt of such representation and shall communicate the decision to the petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks thereafter.

8. With the aforesaid directions, the Writ Petition is finally disposed of. No costs.

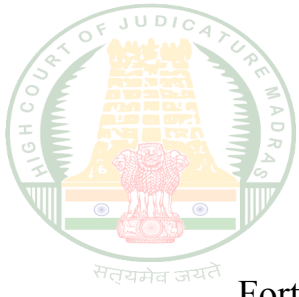
Index :Yes / No
Internet :Yes / No
NCC :Yes / No

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To

1.The Secretary to Government,
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SHAMIM AHMED, J.

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