



C.M.P.(MD) No.4482 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 24.03.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

C.M.P(MD)No.4482 of 2025

in

W.A(MD)SR No.90305 of 2024

The Member Secretary,
Medical Services Recruitment Board(MRB)
7th Floor, DMS Building,
359, Anna Salai,
Teynampet,
Chennai-600 006.

... Petitioner/Appellant/
Respondent-2

-Vs-

1.P.Saravanakumar

... Respondent-1/
Respondent-1/Petitioner

2.The State of Tamil Nadu,
Rep by. The Secretary,
Health & Family Welfare Department,
Secretariat,
Chennai-600 009.

...Respondent-2/
Respondent-2/Respondent-1

PRAYER in C.M.P(MD)No.4482 of 2025: Petition filed under Section 5 of the Limitation Act, to condone the delay of 482 days in filing the writ appeal.



C.M.P.(MD) No.4482 of 2025

Prayer in W.A(MD)SR No.90305 of 2024: Writ Appeal is filed under Clause 15 of Letters Patent, against the order of this Court dated 24.11.2023 in W.P(MD)No. 9609 of 2017.

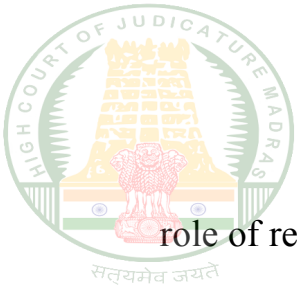
For Petitioner : Mr.V.Ramesh

ORDER

DR.G.JAYACHANDRAN, J.
AND
R.POORNIMA, J.

The State through Medical Services Recruitment Board is before this Court to prefer *intra* Court appeal against the order passed by the learned single Judge, directing them to conduct written examination also for the selection of the candidate without disposing the written test, which is contemplated under G.O.Ms.No.36, dated 12,02,2014, with the delay of 482 days.

2.The affidavit to condone the delay states the administrative reason. This Court is unable to countenance the said reason as sufficient and justifiable. The matter relates to recruitments of paramedical and technical staff in the Government Hospitals. While G.O.Ms.No.36 contemplates the written examination, the State had intended to dispose of the written examination, by introducing G.O.Ms.No.401 that was not found fault with by the learned single Judge. While so, contended that it is a policy decision of the State to frame the



C.M.P.(MD) No.4482 of 2025

role of recruitment, the learned single Judge order been challenged, but with delay and without any sufficient and reasonable caused.

3.Hence, this Court is not convinced in the reasons stated to condone delay. Therefore, application to condone delay of 482 days in preferring the appeal stands dismissed. Consequently, the connected Writ Appeal is also rejected at SR stage itself.

[G.J., J.] & [R.P., J.]

24.03.2025

NCC : Yes / No

Index : Yes / No

Ns

To

1.The State of Tamil Nadu,
Rep by. The Secretary,
Health & Family Welfare Department,
Secretariat,
Chennai-600 009.



WEB COPY



C.M.P.(MD) No.4482 of 2025

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

Ns

C.M.P(MD)No.4482 of 2025

in

W.A(MD)SR No.90305 of 2024

24.03.2025