



WEB COPY

WP No. 4362 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 4362 of 2026

and W.M.P.No.4846 of 2026

D. Amrish

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Health and Family Department,
Fort St. George, Chennai-9.
2. The Director of Medical and Rural Health
Service,
DMS Buildings, 359, Anna Salai,
Teynampet, Chennai-600 006.
3. The Medical Services Recruitment Board,
Rep. By its Member Secretary,
7th Floor, DMS, Building,
359, Anna Salai, Teynampet,
Chennai-600 006.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the Respondents to appoint the petitioner as Assistant Surgeon (Dental) as per the Next Meritorious list of candidates in the vacancies caused on account of non-joining of three candidates belonging to BC Category in the recruitment conducted vide Notification No.05/MRB dated 25.02.2025.



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For Petitioner(s) : Mr.K.Venkatramani,
Senior Counsel
for Mr.M.Muthappan

For Respondent(s) : Mr.K.Tippusulthan, GA for R1& R2
Mr.S.J.Mohd. Sathik for R3

ORDER

This writ petition is filed to direct the respondents to appoint the petitioner as Assistant Surgeon (Dental) as per the Next Meritorious list of candidates in the vacancies caused on account of non-joining of three candidates belonging to BC Category in the recruitment conducted vide Notification No.05/MRB dated 25.02.2025.

2. Learned senior counsel for the petitioner would submit that the petitioner is a fully qualified dental surgeon, holding Bachelor degree of dental and he applied to the post of Assistant Surgeon (Dental), pursuant to the notification issued by the third respondent dated 25.02.2025. Out of 48 vacancies, 44 vacancies have already been filled up. Since the petitioner is a wait listed candidate, he prays that the petitioner's name may be considered for appointment, in the event of non-joining of any one of the candidates.

3. Per contra learned Government Advocate appearing for the respondents would submit that there are 48 vacancies and 46 candidates were



already issued with posting orders and they have also joined duty. In respect of remaining two vacancies, posting orders was issued to the selected candidates on 04.02.2026 and instructed to join duty within a period of fifteen days. Therefore, all the 48 vacancies have been filled up and no vacancy aroused due to non-joining of candidates, as on date. Hence, the prayer sought by the petitioner cannot be granted. Accordingly, he prays for dismissal of this writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Though very many grounds have been raised in this writ petition, in view of the submission made by the learned counsel for the respondents that all the vacancies were filled up and as of now, there are no candidates who have not joined duty, the prayer sought by the petitioner cannot be granted.

Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

11-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VM



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M.DHANDAPANI, J.

VM

To:

1. The Secretary,
Health and Family Department,
Fort St. George, Chennai-9.
2. The Director of Medical and Rural Health
Service,
DMS Buildings, 359, Anna Salai,
Teynampet, Chennai-600 006.
3. The Member Secretary,
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