



WEB COPY

WP No. 17476 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP Nos. 17476 and 17480 of 2025

and

WMP Nos.19821, 19827, 34230 & 34224 of 2025

W.P No.17476 of 2025

1. Dr. Akash R
2. Dr.Hari.S
3. Dr Ajith K
4. Dr.Bharath V
5. Dr.Swetha Lakshmi S
6. Dr. Subasree T
7. Dr.G.Poomathi
8. Dr.M.N Abrar
9. Dr. German Jeffrey G
- 10.Dr.Geetha.N



11.Dr.M.Hari Prasath

12.Dr.R.Dhviya

13.Dr.Paranthaman V

14.Dr.Shakithyan T.D

..Petitioner(s)

Vs

1. The State of Tamil Nadu
Represented by its
The Principal Secretary,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Member Secretary,
Medical Services Recruitment Board,
7th floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai 600 006.
3. The Chairman,
Medical Services Recruitment Board,
7th floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai 600 006.
4. The Director,
Directorate of Public Health
and Preventive Medicine,



DMS Complex, Teynampet,
Chennai 600 006.

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..Respondent(s)

WP No. 17480 of 2025

- 1.Dr. Akash R
- 2.Dr.Hari.S
- 3.Dr Ajith K
- 4.Dr.Bharath V
- 5.Dr.Swetha Lakshmi
- 6.Dr. Subasree T
- 7.Dr.G.Poomathi
- 8.Dr.M.N Abrar
- 9.Dr. German Jeffrey G
- 10.Dr.Geetha.N
- 11.Dr.M.Hari Prasath
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359, Anna Salai, Teynampet,
Chennai 600 006.

4. The Director,
Directorate of Public Health
and Preventive Medicine,
DMS Complex, Teynampet,
Chennai 600 006.

5. P.Ananthi
D/o. C.Prabakar,
Government Medical Collage and Hospital,
Tirunelveli.

6. C.B.N.Nivetha,
D/o. D.Chellapa,
Government Medical Collage and Hospital,
Tirunelveli.



7. R.Dharini,
D/o, Radhakrishnan,
Government Medical Collage and Hospital,
Theni.
8. M.E.Karthik
S/o, Esabeon,
Stanley Medical College and Hospital,
Chennai.
9. P.Chitra
D/o, Pannerselvam,
Government Medical Collage and Hospital,
Kanyakumari.
- 10.Y.Fayazudeen
S/o, Yusuf,
Appollo Hospital,
Bannerghatta,
Bangalore.
- 11.S.Vetrivel
S/o,R.Selvarasu,
Government Medical College and Hospital,
Thiruvarur.
- 12.A.Manikandan
S/o,K.Arumugam,
Government Medical College and Hospital,
Thoothukudi.
- 13.K.Rajeshkumar
S/o, S.Kumar,



Government Medical College and ESI Hospital,
Coimbatore.

14.R.Rajasekar

S/o, G.Ramachandran,
Government Medical Collage and Hospital,
Tirunelveli.

15.Dr.Kowsalya,

D/o, Annadurai,
East Street, Kadugur,
Ariyalur Taluk,
Ariyalur District -621 705

..Respondent(s)

W.P No.17476 of 2025

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove non-joinders withheld candidates after the expiration of the statutory period of 30 days as stipulated vide G.O (Ms)No 36 Health and Family Welfare (C2) Department dated 12.02.2014 and to appoint the petitioners in notified vacancies who completed their certificate verification pursuant to the petitioners representation dated 22.04.2025.

WP No. 17480 of 2025

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from issuing another appointment order to the non-joinders/withheld candidates without considering the second counselling in Notification No.01/MRB/2024 dated 15.03.2024 and



provisionally selected list PSL No.01/MRB/2024 dated 04.04.2025 vide G.O (Ms)No 36 Health and Family Welfare (C2) Department dated 12.02.2014 and to appoint the petitioners in notified vacancies who completed their certificate verification pursuant the petitioners representation dated 22.04.2025.

In both the writ petitions

For Petitioner(s): Mr.K.Krishnan

For Respondent(s): Mr.K.Tippu Sulthan for R1

Mr.S.J.Mohamed. Sathik for R2 & R3

COMMON ORDER

W.P No.17476 of 2025 has been filed seeking a direction to the respondents to remove non-joiners or withheld candidates, after the expiration of the statutory period of 30 days, as stipulated in G.O (Ms)No 36, Health and Family Welfare (C2) Department dated 12.02.2014, and consequently to appoint the petitioners in the notified vacancies as they have completed their certificate verification pursuant to the petitioners' representation dated 22.04.2025.

W.P No.17480 of 2025 has been filed seeking to forbear the respondents from issuing any further appointment order to the non-joiners or withheld candidates without conducting the second counselling as per Notification No.01/MRB/2024 dated 15.03.2024 and the Provisionally Selected List (PSL)



No.01/MRB/2024 dated 04.04.2025, in terms of G.O (Ms)No 36, Health and Family Welfare (C2) Department dated 12.02.2014, and consequently to appoint the petitioners in the notified vacancies, as they have completed their certificate verification pursuant the petitioners' representation dated 22.04.2025.

2. Since the issue arising in the present writ petitions is one and the same, they are disposed of by way of a common order.

3. The learned counsel for the 5th petitioner in both the writ petitions seeks permission of this to withdraw the writ petitions insofar as the 5th petitioner is concerned.

4. Recording the submission made by the learned counsel for the 5th petitioner, these two writ petitions are dismissed as withdrawn insofar as the 5th petitioner is concerned.

5. The case of the petitioners 1 to 4 and 6 to 14 is that the Government of Tamil Nadu issued G.O.Ms.36, Health and Family Welfare (C2) Department, dated 12.02.2014, wherein in clause 9(B), it is clearly stated that if an approved



candidate selected by the MRB for appointment fails to join duty within a maximum period of 30 days from the date of receipt of the order, directing the candidate concerned to join duty or within an earlier date if so specified by the appointing authority (in special circumstances), the candidate shall forfeit his / her right for appointment to the post and his/her name shall be removed from the approved list. The 2nd respondent issued Notification No.01/MRB/2024 on 15.03.2024 for the post of Assistant Surgeon. The 2nd respondent called the candidates for certificate verification on 06.02.2025, and the petitioners completed the same. The intimation letter for counselling for appointment was issued by the 4th respondent on 20.02.2025. On 27.02.2025, the communication was issued by the 4th respondent to the Director of Medical and Rural health Services, Chennai and others, instructing them to permit the selected candidates to join duty subject to certain instructions. The Hon'ble High Court of Madras, by order dated 19.03.2025 in W.P No.9981 of 2025, declined to extend the time granted to the non-joiners and dismissed writ petition. Thereafter, on 04.04.2025, the Provisionally Selected List in PSL No.01/MRB/2024 was issued by the 2nd respondents. The petitioners subsequently submitted separate representations dated 22.04.2025, along with annexures, to the respondents seeking to conduct a second counselling and to appoint the petitioners in the notified vacancies. However, the said representations have not been considered by the respondents. Hence, the present writ petitions have been filed.



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6. The learned counsel for the petitioners 1 to 4 and 6 to 14 would submit that it would suffice, if a direction is issued to the 3rd respondent to consider the representations of the petitioners 1 to 4 and 6 to 14 dated 22.04.2025, within a reasonable time to be fixed by this Court.

7. Considering the limited request made by the learned counsel for the petitioners 1 to 4 and 6 to 14 and without expressing any opinion on the merits of the case, this Court, directs the 3rd respondent to consider the representations of the petitioners 1 to 4 and 6 to 14 dated 22.04.2025, and to pass appropriate orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order.

8. With the above directions, these two writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10-02-2026

Index: Yes/No

(2/2)

Speaking/Non-speaking order

Neutral Citation: Yes/No

UMA



To

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M.DHANDAPANI J.

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