



W.P.No.138 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.138 of 2026

And

W.M.P.Nos.131 and 133 of 2026

P.Gunavathi Byravi

... Petitioner

Vs.

- 1 The Director,
Directorate of Medical Education,
Poonamalee High Road,
Kilpauk,
Chennai – 600 010.
- 2 The Dean,
Rajiv Gandhi Government General Hospital,
Chennai Central,
Park Town,
Chennai – 600 003.
- 3 Medical Services Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai,
Teynampet,
Chennai – 600 006
Represented by the Member Secretary ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Notification No.18/MRB/2025, dated



W.P.No.138 of 2026

03.12.2025 on the file of the respondent no.3 and quash the same as illegal to the extent of filling up all the available vacant posts of Audiometrician through direct recruitment without considering the in-service candidates like the petitioner and consequently to direct the respondents No.1 and 2 to consider the petitioner for posting/promotion to the post of Audiometrician within the time stipulated by this Hon'ble Court.

For Petitioner : M/s.S.Veera Santhi
For Respondents : Mr.K.Tippusulthan
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records pertaining to Notification No.18/MRB/2025, dated 03.12.2025 on the file of the third respondent and quash the same as illegal to the extent of filling up all the available vacant posts of Audiometrician through direct recruitment without considering the in-service candidates like the petitioner and consequently to direct the respondents 1 and 2 to consider the petitioner for posting/ promotion to the post of Audiometrician within the time stipulated by this Court.



W.P.No.138 of 2026

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3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Female Nursing Assistant on 07.03.2011 and joined duty at Chennai Rajiv Gandhi Government General Hospital and she was sent for Audiometrician training in the year 2016-2017 at Stanely Medical College Hospital, Chennai and on return to duty, the petitioner is continuing as Nursing Assistant. The petitioner made representation dated 29.09.2021 to the first respondent seeking promotion to the available post of Audiometrician which is pending till date. In the meanwhile, the third respondent issued the impugned Notification to fill up 11 posts of Audiometricians including a vacant post at Tirunelveli Medical College Hospital. The apprehension of the petitioner is that if the posts of Audiometrician including the available vacant post of Tirunelveli Medical College Hospital are filled up through direct recruitment, her chance of selection and posting in the said post would get prejudiced. Therefore, the petitioner seeks to quash the impugned notification.

4.The learned Government Advocate appearing for the respondents submitted that the petitioner was appointed as Female Nursing Assistant in the year 2011. The impugned notification dated



W.P.No.138 of 2026

03.12.2025 is called for direct recruitment to the post of Audiometrician and it is an entry level post. There is no specific clause provided in the notification for giving preference towards in-service candidates.

5. It is not in dispute that the petitioner has been working as Female Nursing Assistant and has undergone Audiometrician training. However, it is the discretion of the respondents Department to decide the recruitment mode of filling up of vacant posts. It is to be noted here that in the impugned notification, there is no specific clause provided for in-service candidates. It has been specifically mentioned that the recruitment is through direct recruitment and the post is also an entry level post. Therefore, the petitioner has no legal right to claim preference over other candidates or challenge the entire Notification of filling up the post of Audiometrician. However, the petitioner is entitled to apply for the post of Audiometrician if she is qualified as per the requirements mentioned in the Notification, in case if she wishes to do so. Except giving such liberty, this Court is not inclined to grant the relief sought for in this writ petition.



W.P.No.138 of 2026

WEB COPY

6. This writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

12.01.2026

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

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W.P.No.138 of 2026

M.DHANDAPANI,J.
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12.01.2026