

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No.14832 of 2015

and

M.P.No.1 of 2015

Dr.A.Senthilkumar

... Petitioner

vs.

1. The State of Tamil Nadu rep. By its Principal Secretary to Government, Health and Family Welfare Department, Fort St. George, Secretariat, Chennai - 9.
2. The Director of Medical Education, Kilpauk, Chennai - 10.
3. The Director of Medical Services, Medical and Rural Health Services, DMS Campus, Teynampet, Chennai - 6.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus to direct the respondents to issue appropriate orders for posting the petitioner to the post of Assistant Professor (Dental) in the Department of Oral Maxillo Facial Surgery, Government Dental College and Hospital, Chennai - 3 in the existing vacancy on completion of MDS in Oral Maxillo Facial Surgery as on 27.05.2015 by considering the representation submitted by the petitioner dated 07.03.2015.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.M.S.Ramesh,
Addl. Govt. Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2.This writ petition has been filed for the issuance of a writ of mandamus to direct the respondents to issue appropriate orders for posting the petitioner to the post of Assistant Professor (Dental) in the Department of Oral Maxillo Facial Surgery, Government Dental College and Hospital, Chennai - 3 in the existing vacancy on completion of MDS in Oral Maxillo Facial Surgery as on 27.05.2015 by considering the representation submitted by the petitioner dated 07.03.2015.

3.It is the case of the petitioner that he was appointed as Assistant Surgeon (Dental) through Tamil Nadu Public Service Commission (TNPSC) on 03.12.2009, in Government Hospital, Yercaud, Salem District. Thereafter, the petitioner was transferred to Government Hospital, Tiruttani on 09.11.2010. The petitioner studied post graduation in Tamil Nadu Government Dental College, Chennai and wrote the examination in April, 2015. According to the petitioner, so far as the service candidates, who have completed post graduation in Government colleges are concerned, on completion of the post graduation course, they should be accommodated in Government service immediately without any break in service. In view of the same, the respondents adopt the procedure of conducting counselling for post graduate candidates from Government services for the purpose of allotment/posting order prior to completion of P.G. Course. The petitioner submitted a representation and application on 07.03.2015 to the second respondent for posting in the Department of Oral and Maxillo Facial Surgery at Tamil Nadu Government Dental College, Chennai in the existing vacancy. Since the request of the petitioner has not been considered, the petitioner has come up with the present writ petition.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. Without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 07.03.2015 and pass orders on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(ADM.II)/
Vacation Officer

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Secretariat,
Chennai - 9.
2. The Director of Medical Education,
Kilpauk, Chennai - 10.
3. The Director of Medical Services,
Medical and Rural Health Services,
DMS Campus, Teynampet,
Chennai - 6.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.25444

सत्यमेव जयते

W.P.No.14832 of 2015

KU(CO)
CA(25/05/2015)

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