

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22197 of 2015
and M.P.No.1 of 2015

Dr.V.Banumathi (MD), Siddha,
Prof. (Siddha),
Principal Incharge,
Government Siddha Medical College,
Arumbakkam,
Chennai - 600 106.

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009,.

2. The Commissioner of Indian
Medicine and Homeopathy,
Arumbakkam,
Chennai - 600 106.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondent to promote the petitioner to the post of Principal/Joint Director of Indian Medicine based on TNPSC Seniority as fixed and approved as per the proceedings of 2nd respondent in Ref. F.NO.13196/E1/1/2010 dated 3.9.2014 with all consequential and other attendant benefits within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.V.Jayaprakash Narayanan, Spl.G.P.

ORDER

The petitioner is a seniormost professor in Siddha and according to the petitioner, based on seniority only, he is appointed as Principal-in-charge in the Government Siddha Medical College at Chennai on 28.2.2014. According to the petitioner, as per Rules, the post of Principal shall be filled solely based on seniority. Learned counsel appearing for the petitioner has submitted that in the case of Arts and Science colleges, the Government follows seniority for filling up the post of Principal. In these circumstances though the

petitioner filed this writ petition seeking for a direction to respondents to promote her to the post of Principal/joint Director of Indian Medicine based on TNPSC seniority, the learned counsel for petitioner has submitted that the petitioner would be satisfied if her representation dated 4.5.2015 is directed to be considered and disposed of by the 1st respondent in the light of the facts as stated above and on merits and in accordance with law within the stipulated period. Heard the learned Special Government Pleader appearing for the respondents.

2. In view of the above submission made by the learned counsel appearing for the petitioner, the 1st respondent is directed to consider and pass orders on the representation dated 4.5.2015 made by the petitioner in the light of the facts stated above and on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

3. The writ petition is disposed of accordingly. However, there is no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, State of Tamil Nadu,
Fort St.George,
Chennai - 600 009,.

2. The Commissioner of Indian Medicine and Homeopathy,
Arumbakkam,
Chennai - 600 106.

1 cc to Mr.G.Sankaran , Advocate Sr.No.37849
1 cc to Government Pleader.Sr.No. 37777

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bvr(co)
pmk.27.7.2015