



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)Nos.3089 to 3091 of 2015
and
M.P(MD)Nos.1, 1 and 1 of 2015

K.Aruna	... Petitioner in W.P(MD)No.3089/2015
P.Hemalatha	... Petitioner in W.P(MD)No.3090/2015
R.Subbulakshmi	... Petitioner in W.P(MD)No.3091/2015

Vs.

1.The State of Tamil Nadu,
Rep. by its Government,
Health and Family Welfare Department,
Secretariat, Chennai - 9.

2.The Director of Medical Education,
Kilpauk, Chennai - 10. ... Respondents in all W.P's

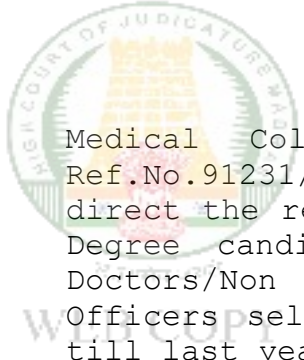
COMMON Prayer:- Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to forbear the respondents from conducting Intra-Directorate (Intra-DME) transfer counselling for existing 10(a)(i) Doctors/Non Service Post Graduates (working for bond period) and Medical Officers selected by the Medical Recruitment Board to fill up the vacancies of Medical Officers in the cadre of Tutors/Senior Residents/Assistant Professors etc., in various Medical College and Hospitals in pursuance of the circular in Ref.No.91231/E3/1/2014-3 issued by the 2nd respondent and consequently to direct the respondents to conduct transfer counselling for the service P.G Degree candidates before conducting counselling for existing 10(a)(i) Doctors/Non Service Post Graduates (Working for bond period) and Medical Officers selected by the Medical Recruitment Board as has been followed till last year and pass such further or other orders.

For Petitioner : Mr.M.Ajmal Khan Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mr.K.P.Krishnadoss
Government Advocate

COMMON ORDER

All these three Writ Petitions are filed seeking for a Mandamus to forbear the respondents from conducting Intra-Directorate (Intra-DME) transfer counselling for existing 10(a)(i) Doctors/Non Service Post Graduates (working for bond period) and Medical Officers selected by the Medical Recruitment Board to fill up the vacancies of Medical Officers in the cadre of Tutors/Senior Residents/Assistant Professors etc., in various



Medical College and Hospitals in pursuance of the circular in Ref.No.91231/E3/1/2014-3 issued by the 2nd respondent and consequently to direct the respondents to conduct transfer counselling for the service P.G Degree candidates before conducting counselling for existing 10(a)(i) Doctors/Non Service Post Graduates (Working for bond period) and Medical Officers selected by the Medical Recruitment Board as has been followed till last year.

2. The grievance of the petitioners is that even though they are entitled to take part in the counselling, they are not issued with call letters.

3. Mr.M.Ajmal Khan, learned Senior Counsel appearing for the petitioners submitted that the respondents have not published the consolidated list of vacancies in the official Website of the Health Department.

4. These matters were moved by way of lunch motion, in view of the urgency involved in these matters, since the counselling is to take place tomorrow ie., 06.03.2015. This Court, while granting permission to move these matters by way of lunch motion, directed the counsel for the petitioners to serve papers on the concerned Government Advocate, who inturn was directed to get instruction by 02.15 p.m. today.

5. Mr.K.P.Krishnadoass, learned Government Advocate immediately taken steps and got instruction and submitted before this Court that all the three writ petitioners will be permitted to take part in the counselling tomorrow ie., 06.03.2015. He further submitted that the consolidated vacancy position will also be published in the public notification in the respective counselling centres.

6. Considering the above stated submissions made by the learned Government Advocate, this Court is of the view that the grievance of the petitioners does not survive any more. Accordingly, these Writ Petitions are disposed of by recording the undertaking given by the learned Government Advocate and also by directing the respondents to permit the petitioners to take part in the counselling tomorrow ie., 06.03.2015. This Court records its appreciation on the learned Government Advocate in getting the timely instruction from the respondents. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/

Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1.The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department, Secretariat, Chennai - 9.

2.The Director of Medical Education, Kilpauk, Chennai - 10.

+3cc to M/S. Ajmal Associates, Advocate in SR.No. 10546 to 10547

TS/05.03.2015/2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P(MD)Nos.3089 to 3091 of 2015
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