

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.26720 of 2016

Dr.S.Dhalapathy

..Petitioner

Vs.

1.The State of Tamilnadu,
Rep.by its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

3.The Dean,
Madras Medical College / Rajiv Gandhi,
Government General Hospital,
Chennai - 600 003.

...Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to sanction the additional post of Associate Professor in the Department of Endocrine Surgery, Madras Medical College, Chennai as per the proposal forwarded by the second and third respondents by considering petitioner's representation dated 25.01.2016 and dispose of the same on merits in accordance with law within stipulated.

For Petitioner : Mr.N.Naganathan

For Respondents: Mr.Dig Vijaypandian

Additional Government Pleader

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O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the first respondent to sanction the additional post of Associate Professor in the Department of Endocrine Surgery, Madras Medical College, Chennai as per the proposal forwarded by the second and third respondents by considering petitioner's representation dated 25.01.2016 and dispose of the same on merits in accordance with law.

2.The petitioner joined service as Assistant Surgeon on 24.04.2000 in the office of Primary Health Centre, Keelathooval and subsequently, he was transferred to various places till 29.07.2007 and now, he is working as Senior Assistant Professor. While so, the respondents have prepared panel for the year 2012-2013 to promote the eligible candidate as Associate Professor Post and the petitioner was not considered for promotion. Hence, he made several representations to the respondents for promotion but till date no orders have been passed and hence, the Writ Petition has been filed.

3.Mr.N.Naganathan, learned counsel for the petitioner would submit that the petitioner would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible.

4.Mr.Dig Vijaypandian, learned Additional Government Pleader for the respondents has got no serious objection for directing the respondents to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent, to consider the representation of the petitioner, dated 25.01.2016 and pass appropriate orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

sri

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary,
The State of Tamilnadu,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.

3.The Dean,
Madras Medical College / Rajiv Gandhi,
Government General Hospital,
Chennai - 600 003.

+ 1 cc to Mr.N.Naganathan, Advocate Sr 43376
+ 1 cc to The Govt.Pleader, Sr 43639

KR/10/8/16

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