



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2016

WEB COPY

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No. 5335 of 2016

and

W.M.P (MD) No. 4789 of 2016

Dr.D.Maruthu Pandian

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Principal Secretary,
Health & Family Welfare Department,
Secretariat, Chennai.

2.The Director of Medical Education,
O/o.Director of Medical Education Department,
Kelpauk, Chennai.

3.The Dean,
Madurai Medical College,
Madurai, Madurai District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to consider the petitioner to be designated as Head of the Department of General Surgery at the Madurai Medical College by considering the representation, dated 22.02.2016 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar for M/s.Ajmal Associates

For Respondents: Mr.M.Murugan,
Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the third respondent to consider the petitioner to be designated as Head of the Department of General Surgery at Madurai Medical College by considering the representation, dated 22.02.2016 within a stipulated time.



4. The case of the petitioner is that he is working as Assistant Professor of Surgery in Madurai Medical College and he claims that he is eligible to be re-designated as Head of the Department of General Surgery in Madurai Medical College, Madurai and the said vacancy will arise on 01.07.2016 due to the superannuation of the present incumbent. Therefore, the petitioner has made a representation vide Ref.No.43/smg/16, dated 24.02.2016. But the same has not been processed till date. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the above facts and circumstances of the case, without going into the merits of the claim made by the petitioner, the third respondent is directed to consider the representation of the petitioner, dated 22.02.2016, and pass orders on the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary, State of Tamil Nadu,
Health & Family Welfare Department,
Secretariat, Chennai.

2.The Director of Medical Education,
O/o.Director of Medical Education Department,
Kelpauk, Chennai.

3.The Dean,
Madurai Medical College,
Madurai, Madurai District.

+1cc to M/s.Ajmal Associates, Advocate Sr.No.15421

+1cc to Spl.Government Pleader Sr.No. 15480

Pm

AA/AAL-MPA/07.04.2016/2p-6c

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