



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition(MD)No.6790 of 2016

and

W.M.P(MD)Nos.5846, 5847 and 9206 of 2016

Dr.S.Revwathy

... Petitioner

vs.

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

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

3)Dr.R.Vimala,
Director of Medical Education,
Kilpauk,
Chennai-600 010.

... Respondents

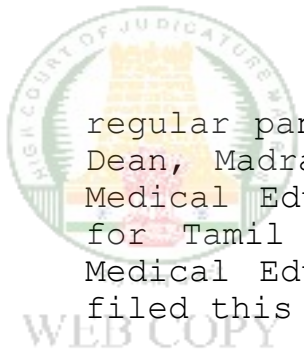
Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order of the 1st respondent's proceedings in G.O(D)No.446, Health and Family Welfare (A1) Department, dated 18.03.2016 read with consequential G.O(D)No.447, Health and Family Welfare (A1) Department dated 18.03.2016 and quash the same and consequently direct the 1st respondent to appoint the petitioner in the post of Director of Medical Education forthwith.

(Prayer amended vide order dated 27.07.2016 in WMP(MD) No.9207/16)

For Petitioner : Mr.G.R.Swaminathan for
Mr.S.Alagarsamy
For R1 & R2 : Mr.K.Chellapandian
Additional Advocate General
For R3 : No appearance

ORDER

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The 1st Respondent/Government have issued G.O(D)No.446, Health and Family Welfare (A1) Department, dated 18.03.2016, approving a

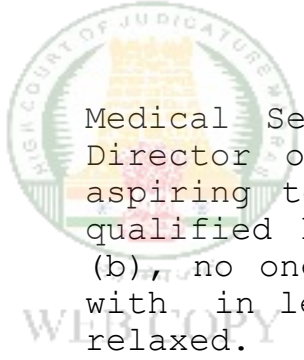


regular panel consisting the name of the 3rd respondent/Dr.R.Vimala, Dean, Madras Medical College, Chennai, for the post of Director of Medical Education, by relaxing Rule 8(b)(iv) of the Special Rules for Tamil Nadu Medical Services as proposed by the Director of Medical Education. Challenging the said G.O., the petitioner has filed this writ petition to quash the same.

2. During the pendency of the writ petition, the Government issued another G.O(D)No.447, Health and Family Welfare (A1) Department, dated 18.03.2016, appointing and posting Dr.R.Vimala, Dean, Madras Medical College, Chennai, as Director of Medical Education, vice Dr.S.Geethalakshmi, retired. In view of the issuance of the subsequent G.O(D)No.447, Health and Family Welfare (A1) Department, dated 18.03.2016, seeking amendment of the prayer to challenge G.O(D)No.447, Health and Family Welfare (A1) Department, dated 18.03.2016 also, the petitioner filed WMP(MD) No.9207 of 2016, contending that at the time of filing of the writ petition, the said G.O was not available. However, learned Additional Advocate General appearing for the respondents, replying to the said prayer, submitted that the said G.O was also available at the time of filing of this writ petition, therefore, the contention made by the petitioner that it was not available on the date of filing of the writ petition is untenable. But, this Court finding that G.O(D)No.447, Health and Family Welfare (A1) Department, dated 18.03.2016, being consequential and it is also more relevant for both parties to agitate the matter, allowed WMP (MD)No.9207/16 by order dated 27.07.2016.

3. Mr.G.R.Swaminathan, learned counsel appearing for the writ petitioner, would submit that the petitioner, who joined the Tamil Nadu Government Medical Service in the year 1987, after serving as a Medical Officer in Government Primary Health Centre and other Primary Health Centres, also worked as Assistant Professor from 1992 to 2009. Subsequently, she got promotion as Associate Professor and Professor and worked in Tirunelveli, Theni and Madurai Medical Colleges with dedication and devotion to duty, therefor, she was promoted as a Dean in 2013. As a Dean, she again rendered her service with more dedication in Kanyakumari, Coimbatore and Madurai Medical Colleges from March 2013 to November 2015 and from December 2015 till now, she is working as a Dean/Special Officer at Karur Medical College. While so, the only post in all over the State of Tamil Nadu namely, the Director of Medical Education for the year 2015-16 fell vacant.

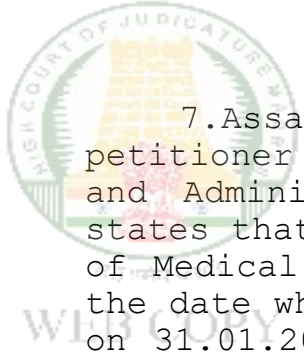
4. Adding further, he would submit that the Director of Medical Education is the Head of the Department with a huge responsibility of supervising 20 Government Medical Colleges and 44 tertiary care institutions, apart from dealing with the Medical Council of India, for getting continued recognition for admission of students in UG and PG courses of Medical, Dental, Para-Medical and Nursing Courses. The said post is governed by the Special Rules for the Tamil Nadu Medical Services. Rule 8(b) of the Special Rules for Tamil Nadu



Medical Services, prescribes the qualifications for the post of Director of Medical Education and unless the candidates who are aspiring to the post of Director of Medical Education, are fully qualified by complying the qualifications prescribed under Rule 8 (b), no one will be considered. The said rules are to be complied with in letter and spirit and only in exceptional cases, it can be relaxed. While so, the 3rd respondent/Dr.R.Vimala, who is not qualified as per Rule 8(b)(iv), which says that the candidate should have a minimum of one year left over service prior to the date of retirement, has been wrongly appointed as Director of Medical Education, therefore, he pleaded, the same is liable to be set aside.

5.Continuing his arguments, he would submit that although the 3rd respondent/Dr.R.Vimala is senior to the petitioner, yet, she is not qualified to hold the said post, as she is not having a minimum of one year left over service before retirement. Moreover, on earlier occasion, the 1st respondent had also rejected the claim of eligible persons namely, Dr.P.Ramakrishnan, Dean, Kilpauk Medical College, Dr.V.Kanagasabai, Dean, Madras Medical College and Dr.P.R.Thenmozhi Valli, for appointment to the post of Director of Medical Education, on the ground that they did not have one year left over service prior to retirement as per the Rules. Therefore, what was applied to Dr.P.Ramakrishnan, Dean, Kilpauk Medical College, Dr.V.Kanagasabai, Dean, Madras Medical College, Chennai, who was holding full additional charge of the post of Director of Medical Education, and Dr.P.R.Thenmozhi Valli, has not been applied to the case of the 3rd respondent, hence, the action of the 1st respondent, in appointing the 3rd respondent to the post of Director of Medical Education, he pleaded, bristles with arbitrariness.

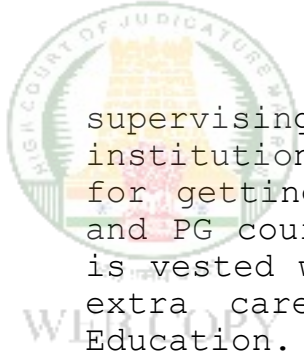
6.Again, continuing his arguments, Mr.G.R.Swaminathan would submit that when Dr.Geethalakshmi was promoted as Director of Medical Education, three Deans, who were Seniors in Civil Medical List(CML) were available for the post of Director of Medical Education, but all those senior candidates of Dr.Geethalakshmi were not appointed as Director of Medical Education, since they did not have left over service of one year, therefore, they were all appointed as officers on special duty with the specific assignment in the cadre of Director of Medical Education, as per the Rules. While so, the 3rd respondent, who was acting as in-charge of the Director of Medical Education and going to retire from service on 30.10.2016 with the left over service of less than one year, has been wrongly promoted by the 1st respondent as Director of Medical Education, relaxing Rule 8(b)(iv) without assigning any reason and also ignoring the representation dated 03.03.2016, given by the petitioner. The only reason assigned by the 1st respondent in the impugned G.O to relax Rule 8(b)(iv) shows that the 1st respondent has got powers to relax the said rule, therefore, it is pleaded, such a reasonless relaxation amounts to giving undue favour to the 3rd respondent, who has got only seven months of service.



7. Assailing the impugned G.O., learned counsel for the petitioner would further submit that when G.O(Ms)No.368, Personnel and Administrative Reforms Department, dated 18.10.1993, clearly states that one of the eligibility criteria for the post of Director of Medical Education will be the left over service of one year on the date when vacancy arises, in the present case, the vacancy arose on 31.01.2016, however, the previous Director of Medical Education Dr.S.Geethalakshmi, was appointed as Vice Chancellor of Tamil Nadu Dr.M.G.R Medical University vide G.O.(Ms).No.387, Health and Family Welfare (MC-2) Department, dated 28.12.2015, and it goes without saying that the post of Director of Medical Education fell vacant with effect from 29.12.2015, therefore, as per the Rules in force, to fill up a single vacancy in respect of the Head of the Department, the first five qualified candidates in the seniority list should be considered in strict compliance of the qualification conditions mentioned under Rule 8(b). Accordingly, when five names of Medical Officers namely, 3rd respondent/Dr.R.Vimala, M.D., Dean, Madras Medical College, Chennai, Dr.A.Edwin Joe, M.D., Dean, Coimbatore Medical College, Coimbatore, Dr.S.Revwathy, M.D., Dean, Karur Medical College, Karur, Dr.A.L.Meenakshi Sundaram, M.D., Dean, Thiruvavarur Medical College, Thiruvavarur, and Dr.B.Santhakumar, M.D., Dean, Thoothukudi Medical college, Thoothukudi, were considered for the post of Director of Medical Education, except the 3rd respondent, all the other candidates were fully qualified, however, Dr.Edwin Joe, who joined the service only on 03.01.1989, has been wrongly shown above the petitioner when the petitioner has joined the service on 08.06.1987 itself with CML seniority No.4081. Moreover, when CML seniority will be the basis for promotion, Dr.Edwin Joe, who is having CML seniority No.4821 can never be a senior to the petitioner. In any event, Dr.Edwin Joe is not entitled to be placed above the petitioner in the seniority list. But the 3rd respondent, who is not having the left over service of one year before her retirement namely, 31.10.2016 as per the Special Rules, should not have been recommended for promotion as Director of Medical Education, however, contrary to the said Rule, by impugned G.O she was wrongly appointed to the said post, therefore, her appointment should be cancelled, he pleaded.

8. Concluding his arguments, he would submit that when the petitioner has possessed the statutory requirement of one year left over service prior to her date of retirement, relaxation of Rule 8 (b)(iv) granted in favour of the 3rd respondent, is fully arbitrary and illegal and that the writ petitioner having all the qualification conditions mentioned under Rule 8(b)(iv), should be considered first, by setting aside the impugned G.Os, as they do not have any valid reason to relax Rule 8(b)(iv).

9. A detailed counter affidavit has been filed by the respondents 1 and 2. Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents 1 and 2, would submit that the post of Director of Medical Education is not only the Head of the Department, but it is a vital post, since responsibility of



supervising all 20 Government Medical Colleges and 44 tertiary care institutions apart from dealing with the Medical Council of India, for getting continued recognition for admission of students in UG and PG courses of Medical, Dental, Para-Medical and Nursing Courses is vested with the said post, therefore, the Government has to take extra care while filling up the post of Director of Medical Education.

10. Learned Additional Advocate General further submitted that admittedly, the 3rd respondent/Dr.R.Vimala, is senior to the petitioner, therefore, she was placed with full additional charge of the post of Director of Medical Education with effect from 28.12.2015. The Government have fixed the estimate of vacancy for the post of Director of Medical Education for the year 2015-16 vide G.O(D)No.1605, Health and Family Welfare (A1) Department, dated 14.12.2015, on this basis, willingness was called for from the Deans of the Medical Institutions under the control of the Directorate of Medical Education, for preparation of the panel for the post of Director of Medical Education vide letter No.83241/E1/1/2015 dated 19.12.2015 of Dr.S.Geethalakshmi, the then Director of Medical Education. While so, Dr.S.Geethalakshmi, formerly Director of Medical Education, Chennai, was appointed as Vice Chancellor of Tamil Nadu Dr.M.G.R Medical University vide G.O.Ms.No.387, Health and Family Welfare (MC-2) Department, dated 28.12.2015, therefore, the post of Director of Medical Education became vacant on the Afternoon of 28.12.2015. Since a senior-most Medical Officer in the cadre of Dean, has to be placed with the full additional charge of the post of Director of Medical Education, the 3rd respondent, admittedly being a senior-most Medical Officer in the cadre of Dean, was given full additional charge of the post of Director of Medical Education with effect from 28.12.2015. So, on the date of giving full additional charge of the post of Director of Medical Education, it is crystal clear that the 3rd respondent was a fully qualified Dean.

11. It is further submitted that subsequently, for promotion to the post of Director of Medical Education, as per the Rules in force, five names of the Medical Officers namely, Dr.R.Vimala, M.D., Dean, Madras Medical College, Chennai, Dr.A.Edwin Joe, M.D., Dean, Coimbatore Medical College, Coimbatore, Dr.S.Revwathy, M.D., Dean, Karur Medical College, Karur, Dr.A.L.Meenakshi Sundaram, M.D., Dean, Thiruvavur Medical College, Thiruvavur, and Dr.B.Santhakumar, M.D., Dean, Thoothukudi Medical college, Thoothukudi, were considered. Admittedly, as per Rule 8(b) of the Special Rules, all the above five Medical Officers were fully qualified to hold the said post. Although the 3rd respondent who is placed first in the seniority list, is stated to have not having left over service of one year before her retirement on 31.10.2016 as per the Special Rules, she was having one year left over service as on the crucial date 15.03.2015. Therefore, when the 3rd respondent was having one year of service on the crucial date 15.03.2015, considering the fact that



the post of Director of Medical Education is a selection post, besides merit and ability of the Medical Officer are also to be considered by the Government, the name of the 3rd respondent was included in the panel. Moreover, her name was also considered in the previous panel for the year 2013-14, however, she has not acted as Director of Medical Education due to non availability of vacancy in the said post.

12.Learned Additional Advocate General further submitted that considering three vital aspects that the 3rd respondent admittedly being senior to the petitioner, secondly, she is also holding the additional charge of the post of Director of Medical Education, thirdly, she was also having one year left over service on the crucial date 15.03.2015, the Government have taken a policy decision to consider her name, by relaxing rule 8(b)(iv) of the Special Rules for the Tamil Nadu Medical Services. When the Government have power to relax the Rule in favour of any individual, by virtue of Rule 48 of the Tamil Nadu State and Subordinate Services, G.O(D)No.446, Health and Family Welfare (A1) Department, dated 18.03.2016 was issued relaxing Rule 8(b)(iv) of the Special Rules for the Tamil Nadu Medical Services in favour of the 3rd respondent and that cannot be questioned. Subsequently, G.O(D)No.447, Health and Family Welfare (A1) Department, dated 18.03.2016, also has been issued appointing and posting the 3rd respondent as Director of Medical Education, as she was found eligible.

13.Continuing his arguments, learned Additional Advocate General would submit that the first five eligible candidates are to be considered for the post of Head of the Department and the said post being a selection post, the law has given sufficient power to the Government, to select any one of the eligible person among the five candidates. Accordingly, the Government have selected the 3rd respondent herein, as per the Rules in force. In support of his submission, he has also brought to the notice this Court that even on the earlier occasion also, when some of the meritorious candidates were not having the one year left over service, by relaxing Rule 8(b)(iv), the following candidates were appointed to



the post of Director of Medical Education.

Sl No	Name of the Medical Officer	Period		Duration (Period)		
		From	To	YY	MM	DD
1	Dr.Thyagavalli Kirbakaran	12.02.2007	31.01.2008	00	11	19
2	Dr.Ravindranath	07.06.2002	31.05.2003	00	11	24
3	Dr.K.Swaminathan	07.11.1990	31.10.1991	00	00	24
4	Dr.S.Arumugam	04.08.1987	29.02.1988	00	06	26
5	Dr.Ramani Sivaraman	01.03.1988	30.11.1988	00	09	00
6	Dr.D.Bennett	04.03.2003	31.03.2003	00	00	27
7	Dr.J.R.Vijayalakshmi	01.04.2003	31.10.2003	00	07	00

14.Concluding his arguments, he would submit that when the Government has been consistently exercising its power, being an Appointing Authority, keeping in mind the merit and ability of the candidate to hold the post of Director of Medical Education, which has the responsibility of supervising 20 Government Medical Colleges and 44 tertiary care institutions apart from dealing with the Medical Council of India for getting continued recognition for admission of students in UG and PG courses of Medical, Dental, Para-Medical and Nursing Courses, the Government have carefully considered and appointed the 3rd respondent to the post of Director of Medical Education, as she was already holding the full additional charge of the said post. Moreover, at the time of appointment, she was the senior-most Medical Officer in the cadre of Dean, therefore, no fault can be found in the impugned G.O and top of all, there is no violation of Rules and Regulations, hence, the writ petition, he pleaded, is liable to be dismissed.

Heard the learned counsel for the parties and perused the materials available on record.

15.The post of Director of Medical Education is governed by the Special Rules for the Tamil Nadu Medical Services. Rule 8(b) of the Special Rules for the Tamil Nadu Medical Services prescribes the qualification for the post of Director of Medical Education, which

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is given as under :-



"No person shall be eligible for appointment to the post of Director of Medical Education, unless-

(i) he possesses a post graduate degree in a Medical faculty or any other qualification approved by Medical Council of India to be treated on par with MD/MS awarded by Indian University.

(ii) he has served for a period of not less than ten years after completing the required post graduate degree mentioned in clause (i) above, in one or more of the following posts, namely:-

Tutor / Assistant Professor / Reader in a Clinical or Non-clinical department in a Government teaching medical institution, out of which four years must be of teaching experience as Reader / Professor.

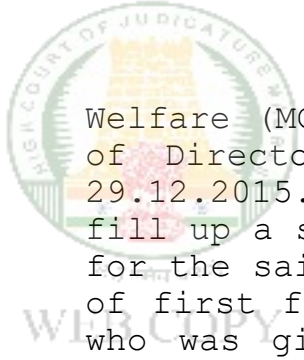
(iii) he has administrative experience for a period of not less than two years in one or more of the following posts, namely, Director of Upgraded Institute or Director, Institute of Thoracic Medicine, Director of King Institute, Guindy / Dean / Principal / Superintendant of a Medical College / Medical College Hospital out of which one year must be as a Dean of Medical College.

(iv) he has a minimum of one year left over service prior to date of retirement.

The crucial date for the post of Director of Medical Education is 15th March of every year."

16. Since the Director of Medical Education is considered as the Head of the Department, this is always considered as a vital post, as the Medical Officer posted therein, has to supervise with all care the 20 Government Medical Colleges and 44 tertiary care institutions apart from dealing with the Medical Council of India, for getting continued recognition for admission of students in UG and PG courses of Medical, Dental, Para-Medical and Nursing Courses. In view of the vital importance given to the status of the Director of Medical Education, the Special Rules provides three important safeguards for appointing a suitable incumbent to the post of Director of Medical Education. Firstly, the said Rule fixes a crucial date for the post of Director of Medical Education, which is 15th March of every year. The second vital criteria is, fixing the feeder category for the post of Director of Medical Education, which is Dean of any Government Medical College. Thirdly, all the four conditions mentioned under Rule 8(b) of the Special Rules for the Tamil Nadu Medical Services should be fulfilled.

17. Since the post of Director of Medical Education is a selection post, as and when it falls vacant, first five eligible candidates have to be considered for the said post, as per the guidelines issued in G.O(Ms)No.368, Personnel and Administrative Reforms Department, dated 18.10.1993. In this background, when Dr.S.Geetha Lakshmi, who was holding the post of Director of Medical Education, was appointed as Vice Chancellor of the Tamil Nadu Dr.M.G.R Medical University vide G.O.Ms.No.387, Health and Family



Welfare (MC-2) Department, dated 28.12.2015, resultantly, the post of Director of Medical Education fell vacant with effect from 29.12.2015. Now, as per the Rules in force, the Government have to fill up a single vacancy, therefore, first five qualified candidates for the said post have to be considered. Accordingly, when a list of first five eligible candidates was prepared, the 3rd respondent, who was given full additional charge of the post of Director of Medical Education, was placed first in the list. In this context, it needs to be seen that the 3rd respondent herein, on the crucial date namely, 15.03.2015, had got one year of left over service for the post in question. Moreover, as the post in question is a selection post, merit and ability of the Medical Officer also to be considered by the Government, therefore, the name of the 3rd respondent was included in the said panel for the year 2015-16, further, the 3rd respondent was also considered in the previous panel for the year 2013-14, but, she could not act as Director of Medical Education, due to non availability of the vacancy in the said post.

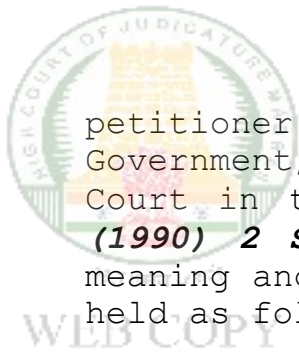
18. When the 3rd respondent on the crucial date, 15.03.2015 was having one year and 7 months left over service and she was also holding the additional charge of the post of Director of Medical Education and in addition thereto, when she is admittedly senior to the petitioner, the Government have rightly taken a policy decision to consider her name, by relaxing Rule 8(b)(iv) of the Special Rules for the Tamil Nadu Medical Services. Accordingly, the Government have relaxed Rule 8(b)(iv) in favour of the 3rd respondent, exercising its power given under Rule 48 of the Tamil Nadu State and Subordinate Service Rules. In this context, it is relevant to extract Rule 48 of the Tamil Nadu State and Subordinate Service Rules, to examine whether any such power has been vested with the Government to relax the Rules.

''48. Notwithstanding anything contained in these rules or in the special rules, the Governor shall have power to deal with the case of any person or class of persons serving in a civil capacity under the Government of Tamil Nadu or of any person who has or of any class of persons who have served as aforesaid or any candidate or class of candidates for appointment to a service in such manner as may appear to him to be just and equitable: Provided that, where any such rule is applicable to the case of any person or class of persons, the case shall not be dealt with in any manner less favourable to him or them than that provided by that rule.''

19. A careful reading of the above Rule clearly shows that notwithstanding anything contained in these Rules or in the Special Rules, the Governor shall have power to deal with the case of any person serving in a civil capacity under the Government of Tamil Nadu for appointment to a service as may appear to him just and equitable.

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20. As regards the contention of the learned counsel for the



petitioner that the power has been arbitrarily exercised by the Government, it is necessary to consider the judgment of the Supreme Court in the case of **J.C.Yadav vs. State of Haryana**, reported in **(1990) 2 SCC 189**, wherein, the Apex Court while dealing with the meaning and scope of the power of the Government to relax Rules, has held as follows:-

'5. The sole question for consideration is whether the relaxation granted by the State Government in favour of the appellants is valid. Rule 22 which confers power on the Government to relax requirement of Rules, is as under:

"Rule 22. Power to relax

Where Government is satisfied that the operation of any of these Rules causes undue hardship to any particular case, it may by order dispense with or relax the requirements of that Rule to such extent, and subject to such conditions, as it may consider necessary for dealing with the case in a just and equitable manner.

6. The Rule confers power on the Government to dispense with or to relax the requirement of any of the Rules to the extent and with such conditions as it may consider necessary for dealing with the case in a just and equitable manner. The object and purpose of conferring this power on the Government is to mitigate undue hardship in any particular case, and to deal with a case in a just and equitable manner. If the Rules cause undue hardship or Rules operate in an inequitable manner in that event the State Government has power to dispense with or to relax the requirement of Rules. The Rule does not restrict the exercise of power to individual cases. The Government may in certain circumstances relax the requirement of Rules to meet a particular situation.'

21. In yet another case in **Bhupendra Nath Hazarika vs. State of Assam**, reported in **(2013) 2 SCC 516**, again, while dealing with the power of the Governor to relax any Rule, the Apex Court has held as follows:-

'58. Another specious contention has been urged that power is vested with the Governor to dispense with or relax any rule and in the case at hand, it should be treated that the authority by its conduct has relaxed the rules. In this context, it is appropriate to refer to Rule 23 which reads as follows: -

"Power of the Governor to dispense with or relax any rule. Where the Governor is satisfied that the operation of any of these rules may cause undue hardship in any particular case, he may order to dispense with or relax the requirements of that rule to such an extent and subject to



such conditions as he may consider necessary for dealing with the case in a just and equitable manner :

Provided that the case of any person shall not be dealt with in any manner less favourable to him than that provided by any of these rules."

59.As has been observed by the learned single Judge which has been accepted by the Division Bench, there was no decision to relax the rules in favour of the special batch recruits. That apart, whenever there has to be relaxation about the operation of any of the rules, regard has to be given to the test of causation of undue hardship in any particular case. That apart, the authority is required to record satisfaction while dispensing or relaxing the requirements of any rule to such an extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner. The language of the Rule really casts a number of conditions. It provides guidance. It cannot be exercised in an arbitrary manner so as to dispense with the procedure of selection in entirety in respect of a particular class, for it has to be strictly construed and there has to be apposite foundation for exercise of such power. It is to be borne in mind that if a particular rule empowers the authority to throw all the rules overboard in all possibility, it may not withstand close scrutiny of Article 14 of the Constitution. Be that it may, no decision was taken to relax the rules and, the concept of deemed relaxation is not attracted and, therefore, the relief claimed by the special batch recruits has no legs to stand upon.'

22.The above observation of the Apex Court clearly says that although the State is vested with the power to relax any Rule, such power of relaxation has to be exercised in a just and equitable manner, without exercising in an arbitrary manner. When the Government have considered the 3rd respondent as a deserving Medical Officer to be posted as Director of Medical Education, after finding that she is having qualifications as per Rule 8(b), this Court finds no element of arbitrariness in relaxing the Rule in favour of the 3rd respondent.

23.Therefore, when the Government keeping in mind the factors that on the crucial date, the 3rd respondent was having one year and 7 months of left over service as per Rule 8(b)(iv) of the Special Rules, secondly, she being a senior most person than the petitioner, thirdly her name was also considered in the previous year 2013-14 for the post of Director of Medical Education, and after considering the capability of the candidates as to who will discharge the duties attached to the said post effectively, thought fit to relax the Rule and accordingly appointed the 3rd respondent as Director of Medical Education, this Court cannot interfere in such decision. Further,



the petitioner, who is also not senior to the 3rd respondent in my considered view, cannot have any grievance.

Therefore, for the reasons mentioned above, the writ petition is dismissed. No costs W.M.P(MD)Nos.5846, 5847 and 9206 of 2016 are closed.

Sd/-
Assistant Registrar (t&p)

/True Copy/

Sub Assistant Registrar

nbi
To

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

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

+1 cc to Mr.S.ALAGARSAMY,Advocate, Sr.No: 48968

JAM/SKS-RR/16.09.16/ 12P-4C

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01.09.2016