

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.6362 of 2017 & W.M.P. No.6860 of 2017

Dr. D. Devi

.. Petitioner

vs.

1 State of Tamil Nadu
represented by its Secretary to Government
Health & Family Welfare Department
Secretariat
Chennai 600 009

2 The Director of Medical Education
Kilpauk
Chennai 600 010

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider and post the petitioner as Assistant Professor in Institute of Mental Health, Kilpauk, Chennai 10 under Directorate of Medical Education side by considering her representation dated 06.03.2017.

For petitioner Mr. P. Ganesan

for M/s. C.S. Associates

For R1

Mr. Jayaprakash Narayanan Spl GP R1

For R2

Mr. V. Anandhamoorthy

Additional Government Pleader R2

सत्यमेव जयते

ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the first respondent and Mr. V. Anandhamoorthy, learned Additional Government Pleader, accepts notice for the second respondent. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner was appointed as Assistant Surgeon and posted at the Government Headquarters Hospital, Dindigul by order dated 22.04.2013 by the Director of Public Health and Preventive Medicine. Thereafter, the order dated 22.04.2013

posting her at Dindigul was modified by posting her at Saidapet, Kanchipuram and the petitioner also joined the said place on 17.05.2013. Subsequent thereto, the petitioner passed the departmental test as well. While so, she partook in the special qualifying examination and secured 53 marks. Therefore, her claim is that since she has secured 35 marks in the special qualifying examination, she is eligible for regularisation. But, even now, her service as Assistant Surgeon has not been regularised and she is retained only as 10(a)(i) hand. In the meantime, she has given a representation to the respondents on 06.03.2017 seeking request transfer.

3 In this background, the petitioner's grievance is that when she has already passed the P.G. degree, she should be permitted to partake in the transfer counselling and since she was not considered for transfer counselling for posting her in the Medical Education side, she has addressed a representation dated 06.03.2017 requesting for transfer to Medical Education service, which has not been acted upon till date and hence, the present writ petition seeking the aforesated relief.

4 Given the fact that the petitioner has passed P.G. degree and has also given a representation seeking inclusion of her name in the transfer counselling, which is still under consideration, this Court directs the respondents to consider and pass orders on the petitioner's representation dated 06.03.2017 on its own merits and in accordance with law, as expeditiously as possible, at any rate, before the next counselling session commences.

With the above direction, this writ petition stands disposed of. Costs made easy. Connected W.M.P. is closed.

-s/d-

Assistant Registrar (IX)

True Copy

Sub-Assistant Registrar

cad

To

- 1 The Secretary to Government
Health & Family Welfare Department
State of Tamil Nadu
Secretariat
Chennai 600 009

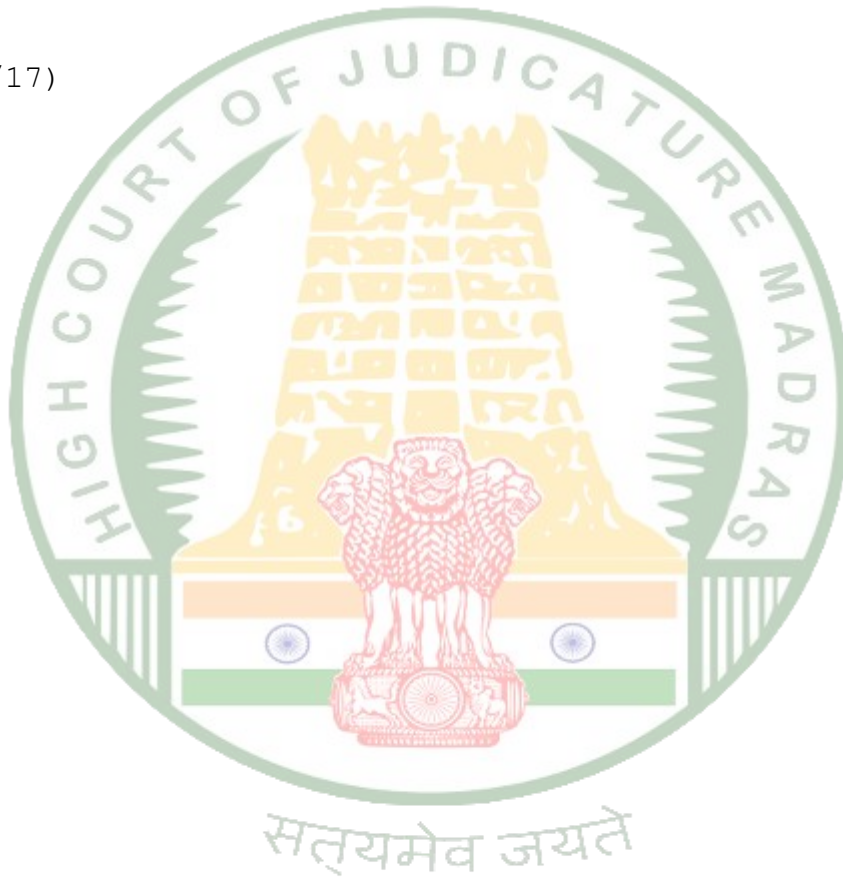
2 The Director of Medical Education
Kilpauk
Chennai 600 010

+1 CC TO C.S.Associates Advocate sr 16315

+1 CC To Government Pleader sr 16556

W.P. No.6362 of 2017

rmp (15/03/17)



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