

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11299 of 2018

Dr.C.Mushtaq Ahamed

... Petitioner

Versus

1.The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St.George,
Chennai - 600 009.

2.The Additional Chief Secretary and
Commissioner of Commissionerate
of Indian Medicine & Homoeopathy,
Arumbakkam, Chennai - 600 106.

3.The Principal,
Government Unani Medical College,
Chennai - 600 106.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents herein to consider and dispose of the petitioner's representation dated 21.12.2017 and allot a teaching seniority as well as his Post Graduate Seniority to the petitioner and restore him to the post of Vice-Principal of the Government Unani Medical College, Chennai - 600 106.

For Petitioner

:: Mr.Hajamohideen Gisthi

For Respondents

:: Mr.R.Janaki

Additional Government Pleader

O R D E R

The relief sought for in this writ petition is to direct the respondents to consider and dispose of the petitioner's representation dated 21.12.2017 and allot a teaching seniority as well as his Post Graduate Seniority to the petitioner and

restore him to the post of Vice-Principal of the Government Unani Medical College, Chennai - 600 106.

2.The learned counsel appearing on behalf of the writ petitioner states that the respondents are initiating steps to promote an un-qualified person, denying the opportunity of promotion to the petitioner, who is the Senior Professor working in the respondent College. The writ petitioner is now working as a Professor and Head of the Department, Department of Moalejat (General Medicine), in Government Unani Medical College, Chennai - 600 106.

3.The learned counsel appearing for the writ petitioner states that the present incumbent Principal is admitting to promote his own wife, who is not qualified for promotion of Principal. Under these circumstances, the writ petitioner submitted a representation to the second respondent on 21.12.2017 and the same is yet to be considered.

4.In this view of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 21.12.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents along with the orders passed in this writ petition.

5.Accordingly, the writ petition stands disposed of. However, there is no order as to costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ah

To

1.The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St.George,
Chennai - 600 009.

WEB COPY

2.The Additional Chief Secretary and Commissioner of
Commissionerate of Indian Medicine & Homoeopathy,
Arumbakkam, Chennai - 600 106.

3.The Principal,
Government Unani Medical College,
Chennai - 600 106.

+1cc to Mr.S.HAJA MOHIDEEN GISTHI, Advocate, S.R.No. 31980
+1cc to the Government Pleader, S.R.No.32830

W.P.No.11299 of 2018

AD(CO)
TR(10/05/2018)



WEB COPY