

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.05.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12108 of 2018

and

W.M.P.Nos.14116 & 14117 of 2018

1.Dr.P.Anantha Krishnan
2.Dr.V.M.Theeba
3.Dr.Banumathy
4.Dr.R.Senthilkumar

..Petitioners

vs

1.The Principal Secretary to Government,
Department of Health and Family Welfare,
Fort St.George, Chennai - 9.

2.The Director of Medical Education,
Kilpauk, Chennai - 10.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to forthwith post the petitioners in the posts of Tutor/Assistant Professor in the Department of Microbiology in Government Medical Colleges as per the Medical Council of India Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 from the beginning of the ensuing academic year with effect from 1.6.2018 if necessary by replacing the existing 10(a)(i) temporary appointees.

For Petitioner : M/s.V.Vijay Shankar
For Respondents : Mr.K.Karthikeyan, GA

O R D E R

The grievance of the writ petitioner is that an unqualified persons appointed temporarily under Rule 10 (a) (i) are permitted to serve as Assistant Professors in the regular sanctioned post.

2.The learned counsel appearing on behalf of the petitioner states that the persons appointed under Rule 10(a)(i) cannot be permitted to serve in permanent sanctioned posts and further, those persons are not qualified under the Medical Council of India(M.C.I) Regulations. Thus, the qualified persons as per

the regulations issued by the Medical Council of India(M.C.I), alone to be appointed as Assistant Professors. In this regard, the petitioner has submitted a series of representations and finally on 09.05.2018. However, the same has not been considered.

3.Thus, without going into the merits of the matter, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 09.05.2018 and pass orders on merits and in accordance with law within a period of eight 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 other relevant rules and regulations, if any, along with the order passed in this writ petition.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(Comp)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Department of Health and Family Welfare,
Fort St.George, Chennai - 9.
2. The Director of Medical Education,
Kilpauk, Chennai - 10.

+1cc to M/s.V.Vijay Shankar, Advocate, S.R.No.33504
+1cc to the Government Pleader, S.R.No.33511

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NRJK(CO)
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