

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.05.2018

CORAM

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

W.P.No.12249 of 2018

and

W.M.P.No.14305 of 2018

Dr.M.Arunkumar

..Petitioner

vs

- 1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Director of Medical Education,
Kilpauk, Chennai - 600 010.
- 3.The Director of Public Health and Preventive Medicine,
DMS Complex, Teynampet,
Chennai - 600 006.
- 4.The Secretary,
Selection Committee,
The Directorate of Medical Education,
Kilpauk,
Chennai - 600 010.
- 5.The Secretary,
Medical Council of India,
Pocket 14, Sector 8,
Dwaraka, New Delhi - 110 077.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to consider the Earned Leave availed by the Petitioner from 03.07.2017 to 17.07.2017 on account of his Marriage as well as the Earned Leave from 15.11.2017 to 24.11.2017 on account of illness to be considered for granting incentive marks for admission to PG Medical Courses in terms of

orders passed in W.P.No.6475 of 2018 etc cases dated 11.04.2018 by considering the representation submitted by the Petitioner dated 30.04.2018 and consequently directing the Respondents award incentive marks for 3 years rural service rendered by the Petitioner for admission to PG Medical Courses.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.P.Raja, GA for R1 to R4
Mr.V.P.Raman for R5

O R D E R

The grievances of the writ petitioner is that the leave eligible as per the rules are not provided to the writ petitioner.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner is eligible to avail the Earned Leave on account of his marriage and such a benefit has not been extended to the petitioner.

3.The learned Government Advocate appearing on behalf of the respondents 1 to 4 also states that the Division Bench has considered this issue and pass an order as per the rules, the authority will consider the application submitted by the writ petitioner.

4.Thus, the 3rd respondent/The Director of Public Health and Preventive Medicine, is directed to consider the representations submitted by the writ petitioner on 30.04.2018 and pass orders on merits and in accordance with law within a period of two 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 order passed in this writ petition.

5.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(COMP)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Director of Medical Education,
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- 3.The Director of Public Health and Preventive Medicine,
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The Directorate of Medical Education,
Kilpauk,
Chennai - 600 010.
- 5.The Secretary,
Medical Council of India,
Pocket 14, Sector 8,
Dwaraka, New Delhi - 110 077.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.33546
+1cc to Mr.V.P.Raman, Advocate, S.R.No.33599
+1cc to the Government Pleader, S.R.No.33587

W.P.No.12249 of 2018

NMI (Co)
CS/17/05/18

सत्यमेव जयते

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