

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33838 of 2007 and

M.P.No. 2 of 2007

Dr.Vidya Albert Yen, M.D.S.,

... Petitioner

Vs.

1. State of Tamil Nadu,
represented by its Secretary,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
2. The Director of Medical Education,
Kilpauk, Chennai - 600 010.
3. The Principal,
Tamilnadu Government Dental College,
Chennai.
4. Dr.D.Sivakumar, M.D.S.,
Reader in Dental Surgery,
Coimbatore Medical College & Hospital,
Coimbatore.
5. Dr.S.Jaikailash, M.D.S.,
Reader in Dental Surgery,
Coimbatore Medical College & Hospital,
Coimbatore.
6. Dr.Siva Ponnappan, M.D.S.,
Reader in Dental Surgery,
Theni Medical College & Hospital,
Theni.
7. Dr.R.Saravanan, M.D.S.,
Reader in Dental Surgery,
Tirunelveli Medical College & Hospital,
Tirunelveli.
8. Dr.I.Ponniah, M.D.S.,
Reader in Dental Surgery,
Tamilnadu Government Dental College,
Chennai.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to G.O.(2D). No.116 Health & Family Welfare (B1) Department, dated 10.09.2007, from the file of the first respondent and to quash the same so far as it relates the promotion of the respondents 4 to 8 to the post of Reader and further to direct the respondents 1 & 2 to consider the petitioner for promotion to the post of Reader from the date on which her immediate juniors were promoted as such, with all consequential service and monetary benefits arising thereto.

For Petitioner : Mr.D.Shivakumaran
For RR 1 to 3 : Mr.S.Kamalesh Kannan
Government Advocate.
For R4 : Mr.R.Singaravelan (Senior Counsel)
For T.P.Prabhakaran
For R8 : Mrs.Rathasabapathy
For RR 5 to 7 : No Appearance

O R D E R

The learned counsel appearing for the writ petitioner made a submission that during the pendency of the writ petition, the writ petitioner was promoted to the post of Reader and the grievances in relation to the promotion had been redressed.

2. However, the learned counsel appearing for the writ petitioner states that the grievances in relation to the fixation of seniority is yet to be considered.

3. It is made clear that, if at all, any grievance exists in respect of the fixation of seniority, it is open to the writ petitioner, to approach the competent authority in the manner known to law.

4. The learned Senior Counsel appearing on behalf of the 4th respondent also brought to the notice of this Court that the grievances of the writ petitioner in respect of the promotion has been redressed.

5. Thus, no further adjudication is required to be undertaken in respect of the relief of promotion as such sought for in this Writ Petition.

6. Accordingly, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CO)

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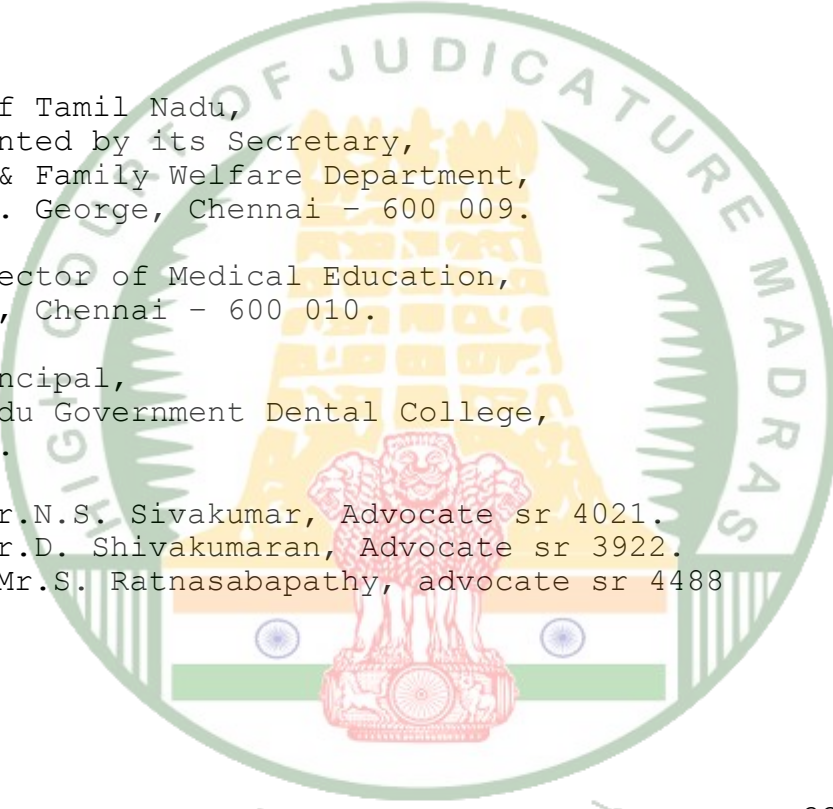
Sub-Assistant Registrar

msm

To

1. State of Tamil Nadu,
represented by its Secretary,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
2. The Director of Medical Education,
Kilpauk, Chennai - 600 010.
3. The Principal,
Tamilnadu Government Dental College,
Chennai.

+1 CC to Mr.N.S. Sivakumar, Advocate sr 4021.
+1 CC to Mr.D. Shivakumaran, Advocate sr 3922.
+2 Ccs to Mr.S. Ratnasabapathy, advocate sr 4488



सत्यमेव जयते

W.P.No.33838 of 2007

CNR (CO)
SP (01/03/2018)

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