

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.10.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.25704 of 2018 and WMP No.29895 & 29898 of 2018

Jabarani Petitioner

Vs

1. The Director of Medical Education,
Kilpauk, Chennai - 600 010.

2. The Director of Medical and
Rural Health Services,
DMS Campus,
Teynampet,
Chennai 600 018.

..... Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorari Mandamus to call for the records of the impugned proceedings in Ref.No.41726/Ni2/2/2018 dated 06.09.2018 passed by the 1st respondent and quash the same and consequently accommodate the petitioner in the forthcoming vacancy in the post of Assistant in Thirunelveli Government Medical College and Hospital due to the promotion of R.Senthil Kumar.

For Petitioner : Mr.M.Rajendran

For Respondents : Mrs.P.Kavitha

Government Advocate

O R D E R

It appears in this case that the petitioner on an earlier occasion had filed writ petition to consider the petitioner's representation and consequently sought for a direction to transfer him as Assistant in Director of Medical Education, Kilpauk, Chennai to Thirunelveli Government Medical College and this Court vide order dated 26.04.2018 made in WP No.10780 of 2018 has passed an order, wherein it has been held as follows :-

□ Thus without going into the merits of the matter, the first respondent is directed to consider the representation submitted by the writ petitioner on 12.04.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of 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. □

2. Thereafter, the petitioner being denied with the transfer vide impugned order dated 06.09.2018 in

Na.Ka.No.41726/N2/2/2018 on the ground that there being no vacancy is available in the Tirunelveli Government Medical College and challenging the same, the petitioner filed this writ petition to quash the same and consequently seeking for a direction to the respondents to accommodate the petitioner in the forthcoming vacancy in the post of Assistant in Thirunelveli Government Medical College and Hospital due to the promotion of one Mr.R.Senthil Kumar.

3. Mrs.P.Kavitha, learned Government Advocate, who accepts notice on behalf of respondents submits that whenever a vacancy arose, the case of the petitioner shall be considered as per the direction of this Court.

4. As it appears to this Court, this Court on an earlier occasion had not given any positive direction to transfer the petitioner but directed the 1st respondent to consider her representation on merits and in accordance with law. Recording the submissions of the learned counsel appearing for the respondents that whenever a vacancy arose the case of the petitioner shall be considered and accordingly, writ petition stands disposed of. No costs. Consequently, this miscellaneous petition is also closed.

rka 01.10.2018

Speaking/Non speaking order

Index : yes/no

Internet: Yes/no

To

1.The General Manager,
(Administration),
Gratuity Trust Fund,
Tamil Nadu Civil Supplies Corporation Limited,
Head Office, Kilpauk,
Chennai 600 010.

2. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Regional Office,
Chennai North.

3. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Limited,
Regional Office,
Chennai South.

4. The Senior Regional Manager,
Tamil nadu Civil Supplies Corporation Limited,
Regional Office,
Thiruvallur

SATRUGHANA PUJAHARI, J.

rka

W.P. No.25704 of 2018

01.10.2018