

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :05.09.2019
CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.25797 of 2019
and
WMP.No.25241 of 2019

Dr. M. Sivakami
W/o. G. Saravanan,
Associate Professor in Pathology,
Government Chengelpet Medical College,
Chengelpet,
Kancheepuram District.

..Petitioner

vs

1. The State of Tamil Nadu,
Represented 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.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ directing the respondents to pass orders re-designating the petitioner to the post of professor in Pathology with effect from 15.03.2013 as per Medical Council of India (MCI) norms on par with juniors based on Civil Medical List (CML) seniority and consequently consider the petitioner for posting as Vice Principal in Vice Principal in Government Omandurar Medical College, Block-B, Chennai or in other vacant place, created as per G.O.(4D).No.2 Health and Family Welfare Department dated 15.02.2019 and to pass such further orders.

For Petitioner : Mr. S. Nedunchezhiyan

For Respondents : Mrs. A. Srijayanthi, AGP

O R D E R

The case of the petitioner is that he was initially appointed as tutor in Pathology in Government Madurai Medical College through TNPSC vide order issued by DPH dated 06.02.2004; subsequently re-designated as Assistant Professor and her services were regularized and probation was declared. Subsequently, the petitioner was promoted as Associate Professor in Pathology as per MCI norms and she joined the post on 30.09.2009.

2. After completion of five years of Teaching experience as on 15.03.2013, the petitioner became eligible for re-designation as Professor in Pathology as per MCI norms as well as G.O.Ms.No.354, Health and Family Welfare Department, dated 23.10.2009. In order to avail the above said benefit, the petitioner made representation before the respondent, however till date her representation was not considered.

3. The learned counsel for the petitioner would submit that without going into the merits of the case, it would be suffice to issue direction to the respondent to consider the representation dated 06.03.2019 which was received by the respondent, but no proof has been produced for having submitted the representation.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, the petitioner is permitted to send a copy of the representation along with a copy of this order as early as possible to the respondent.

5. On receipt of such representation, the respondent is directed to dispose of the same within a period of twelve (12) weeks on merits and in accordance of law. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrn

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To

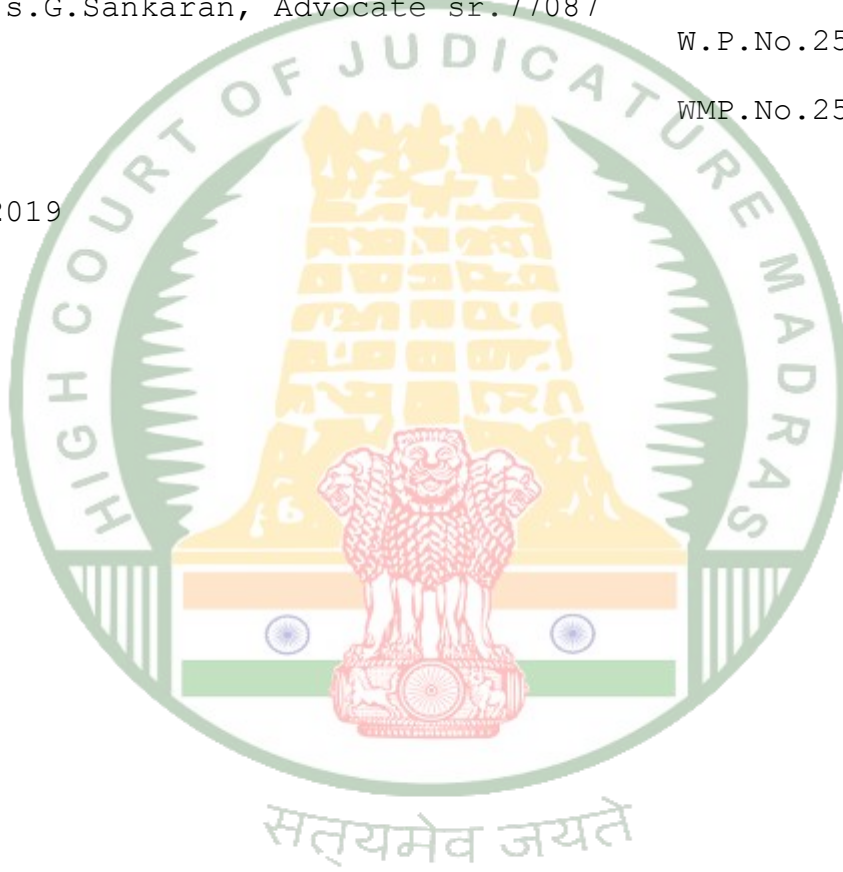
1. The Principal Secretary to Government of Tamilnadu,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai- 600 009.

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

+lcc to Government Pleader SR.NO. 77392
+lcc to M/s.G.Sankaran, Advocate sr.77087

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