

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.5175 of 2020

and

WMP No.6113 of 2020

Dr.P.Shanmuga Priya

...Petitioner

Vs

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 009.

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

3.The Dean,
Madurai Medical College,
Madurai 625 020.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Second Respondent bearing Ref.No.4053/E3/4/2019 dated 04.11.2019 and quash the same and consequently direct the respondents to restore the petitioner's position as an Assistant Professor in the Institute of Physiology, Madurai Medical College, Madurai in accordance with the MCI norms.

For Petitioner : Mr.T.Gowthaman

For Respondents : Mr.K.Parameswaran
Government Advocate

ORDER

This writ petition has been filed challenging the order of transfer passed by the 2nd respondent by proceedings dated 04.11.2019.

2.The case of the petitioner is that she was working as an Assistant Professor and the 2nd respondent by the impugned circular dated 04.11.2019, posted the petitioner as Tutor in the Blood Bank of the Government Rajaji Hospital, Madurai, as per the fitment of the Medical officer to fill up the vacant posts of Medical Officers in various Medical Colleges and Hospitals.

3.The petitioner has sent a representation dated 14.01.2020, to the 2nd respondent and has requested for continuing the petitioner as an Assistant Professor in the Department of Physiology at Madurai Government College. Since the same has not been considered, the present writ petition has been filed before this Court.

4.The learned counsel for the petitioner submitted that the petitioner has already joined in the transferred place and only thereafter the representation was made to the 2nd respondent. Therefore, it will be suffice if directions are issued to the 2nd respondent to consider the representation made by the petitioner.

5.Heard Mr.T.Gowthaman, learned counsel appearing for the petitioner and Mr.K.Parameswaran, learned Government Advocate appearing on behalf of the respondents.

6.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 14.01.2020 and pass appropriate orders on its own merits within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of the representation dated 14.01.2020 and a copy of this order.

7.This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 009.

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

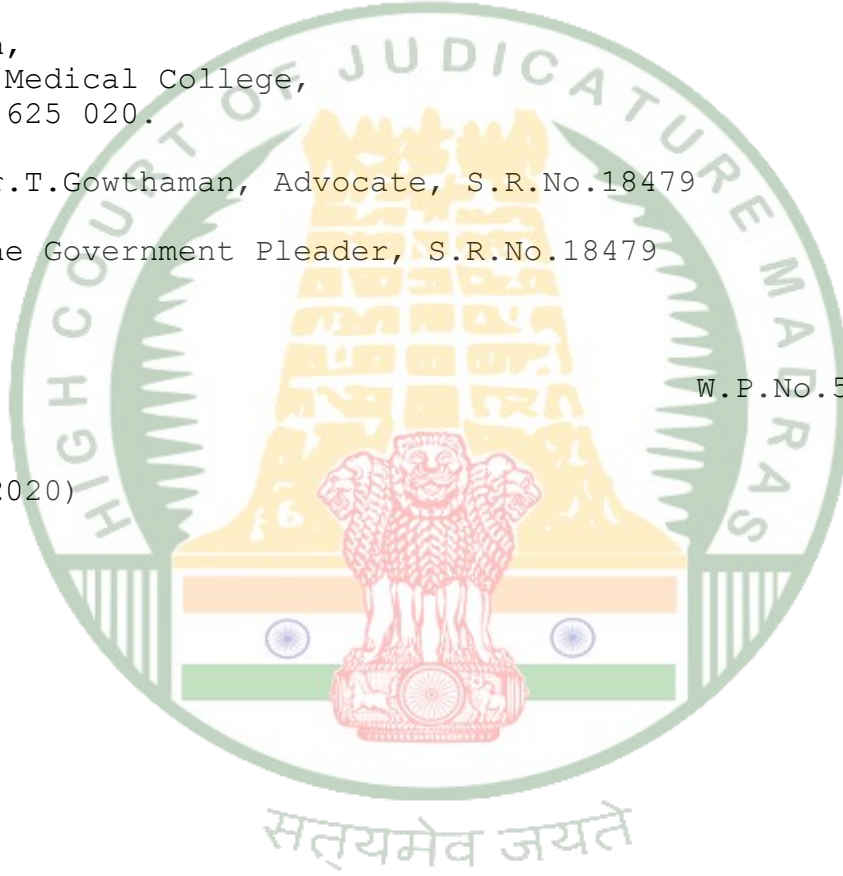
3.The Dean,
Madurai Medical College,
Madurai 625 020.

+1cc to Mr.T.Gowthaman, Advocate, S.R.No.18479

+1cc to the Government Pleader, S.R.No.18479

W.P.No.5175 of 2020

SSI (CO)
RN (30/05/2020)



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