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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2021

CORAM :

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

W.P.No.42286 OF 2016

and

WMP.Nos.36714 and 36821 of 2016

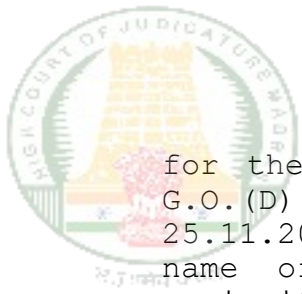
D.P.Shankar

... Petitioner

Vs

1. The Secretary to Government
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.
 2. The Director of Public Health and Preventive Medicine,
DMS Campus, Teynampet,
Chennai - 600 006
 3. The Director of Medical Services,
DMS Campus, Teynampet,
Chennai- 600 006
 4. The Director of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai - 600 010
 5. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai - 600 003.
 6. Dr. R. Arul
Assistant Professor,
Department of Nephrology,
Coimbatore Medical College and Hospital,
Coimbatore 641018
 7. Dr. P.K. Senthilkumar
Department of Nephrology
Tirunelveli Medical College and Hospital,
High Grounds,
Tirunelveli 627 011
- ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ, order or direction more particularly a writ in the nature of Writ of Certiorarified Mandamus to call



for the records relating to the order of Government issued in G.O.(D) No.1697 Health & Family Welfare (A1) Department dated 25.11.2016 and to quash the same in so far as non inclusion of name of the petitioner in the appropriate place based on seniority as per TNPSC ranking in the post of Assistant Surgeon and consequently direct the office respondents to finalize the seniority in the feeder post of Assistant Surgeon/Associate Professor as per Tamil Nadu Public Service Commission ranking in the selection, following Rule 35 (a) of General Rules and as per the ration laid down by Hon'ble High Court of Madras in N. Santhosh Kumar & others Vs TNPSC reported in (2015) 4 MLJ 281, in compliance to the orders passed in W.P.No.28572 of 2016 dated 12.09.2016 and accordingly include the name of the petitioner in the panel for the year 2016-2017 and to promote the petitioner to the post of Associate Professor in the Department of Nephrology with all consequential and other attendant benefits, within a time frame to be fixed by this Honourable Court.

Prayer amended as per order dated 09.12.2016 made in WMP.No.36820 of 2016 in W.P.No.42286 of 2016

For Petitioner : Mr. G. Sankaran

For Respondents: Mr. K. Tippu Sulthan, Government Advocate
for R1 to R5
Not Ready in Notice Reg. R6 and R7

ORDER

Recording the submissions made by the learned counsel for the petitioner, the prayer sought for in the present Writ Petition has become infructuous. The Writ Petition is closed with a liberty to the petitioner to work out his remedy in accordance with law. Consequently connected Miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mrn

To

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



2. The Director of Public Health and Preventive Medicine,
DMS Campus,
Teynampet,
Chennai - 600 006

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3. The Director of Medical Services,
DMS Campus,
Teynampet,
Chennai- 600 006

4. The Director of Medical Education,
Poonamallee High Road,
Kilpauk,
Chennai - 600 010

5. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai - 600 003.

+1cc to Mr.G.Sankaran, Advocate, S.R.No. 33065

W.P.No.42286 OF 2016
and
WMP.No.36714 and 36821 of 2016

GMI (CO)
GN(09/08/2021)