



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.19784 of 2021

(Through Video Conferencing)

Dr.P.Renuka

...petitioner

Vs

1.The State of Tamil Nadu

Rep. 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.

3. The Director of Medical and Rural Health Services,  
DMS Compund, Anna Salai,  
Chennai - 600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pass orders for posting the petitioner in the existing vacancies in Government Hospital coming under Directorate of Medical and Rural Health Services (DMS side) as per the option exercised by the petitioner, in consideration of representation submitted by the petitioner dated 01.08.2021 as per the proforma - preference for PG postings format submitted by the petitioner and in compliance with minimum qualifications for Teachers in Medical Institutions (Amendment) Regulations, 2019, with all consequential and other attendant benefits, within a time frame.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.L.S.M.Hasan Fizal  
Government Advocate

ORDER

The petitioner had completed P.G Degree in May 2021. After completing the P.G, the petitioner had opted for working in the DMS side of the Medical and Rural Health Service of the State Government. The respondents have now posted the petitioner in the DME side as an Assistant Professor of Blood Bank, Nagapattinam Medical College, Nagapattinam.



2.It is the case of the petitioner that the posting of the petitioner on the DME side of the services is not only contrary to the notification to issued by the Medical Council of India on 31.10.2018 but also results in denial of proper career progression to the petitioner. Under these circumstances, the petitioner had sent a representation dated 01.08.2021 to the respondent to consider her representation to re-post the petitioner in DMS in Nagapattinam without affecting the petitioner. The petitioner's representation deserves an attention and a proper disposal.

3.Considering the same, the respondents are directed to consider the representation of the petitioner dated 01.08.2021 within a period of 45 days from the date of receipt of a copy of this order in accordance with the provisions of the MCI Regulations - Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 dated 31.10.2018 as amended on 16.08.2019.

4.This Writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

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To

- 1.The principal secretary to Government,  
State of Tamil Nadu  
Health and Family Welfare Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.
2. The Director of Medical Education,  
Kilpauk, Chennai - 600 010.
3. The Director of Medical and Rural Health Services,  
DMS Compund, Anna Salai,  
Chennai - 600 006.

+1cc to the Government Pleader, S.R.No.47892

W.P.No.19784 of 2021

BR(CO)  
GN(02/11/2021)