



W.P.No.15168 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15168 of 2019

K.Purushotham

... Petitioner

-Vs-

1. The Secretary,
Health Department,
Government of Tamil Nadu,
fort St.George, Chennai-9
2. The Chief Secretary to Government,
Government of Tamil Nadu,
fort St.George, Chennai-9.
3. The Commissioner/Secretary,
Personnel and Administrative Reforms,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-9.
4. The Directorate of Medical Education,
Government of Tamil Nadu,
No.163, Poonamalee High Road,
Kilpauk, Chennai—10.
5. The Deen,
Madras Medical College,
Chennai, Tamil Nadu-3.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, calling for the records of the 1st respondent relating to the G.O.Letter No.22699/A1/2018-1 dated 10.10.2018, signed on 12.10.2018 & received by the petitioner on 26.10.2018 and quash the same and consequently direct the respondents 1 to 4 to increase the retirement age of Doctors and Professors in the Tamil Nadu Government Medical Colleges from 58 to 65 amongst other.

For Petitioner : Mr.P.Valliappan
for change of Vakalat

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

ORDER

The letter impugned dated 22.10.2018, allowing the writ petitioner to retire from service on 30.06.2018, is under challenge in the present writ petition.

2. The claim of the writ petitioner is that he is entitled to continue in service as per the age limit fixed by the Government of India for the employees engaged in Central Government Departments.



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3. However, the fact remains that the petitioner was engaged by the Department of Medical Education and his age of retirement, during the relevant point of time, was 58 years and accordingly, he was allowed to retire from service on 30.06.2018. Now four years have lapsed. In view of the efflux of time, no further adjudication needs to be entertained and more so, as per the State Government Rules, the petitioner was allowed to retire from service.

4. Accordingly, the writ petition stands **dismissed**. However, there shall be no order as to costs.

02.12.2022

Index : Yes
Speaking order
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To

1. The Secretary,
Health Department,
Government of Tamil Nadu,
fort St.George, Chennai-9
2. The Chief Secretary to Government,
Government of Tamil Nadu,



fort St.George, Chennai-9.

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3. The Commissioner/Secretary,
Personnel and Administrative Reforms,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-9.
4. The Directorte of Medical Education,
Government of Tamil Nadu,
No.163, Poonamalee High Road,
Kilpauk, Chennai—10.
5. The Deen,
Madras Medical College,
Chennai, Tamil Nadu-3.

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