



WEB COPY



W.P.No.28084 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

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N.Narmada

... Petitioner

Versus

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 Directorate of Public Health and Preventive Medicine,
DMS Compund,
Teynampet,
Chennai - 600 006.

.... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus, directing the Respondents to pass orders for posting the petitioner as Non Medical Tutor in the Department of Microbiology in Coimbatore Medical College in the existing vacancy by restoring the petitioner to her parent Department, in consideration of the representation submitted by the petitioner dated 11.04.2022.



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For Petitioner : Mr.G.Sankaran
For Respondents : Mr.V.M.Ravichandran
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pass orders for posting the petitioner as Non Medical Tutor in the Department of Microbiology in Coimbatore Medical College in the existing vacancy by restoring the petitioner to her parent Department, based on the representation of the petitioner dated 11.04.2022 within a time frame to be fixed by this Court.

2. Heard Mr.G.Sankaran, learned counsel appearing for the petitioner and Mr.U.M.Ravichandran, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. According to the petitioner, earlier, she was selected and temporarily appointed to the post of Tutor in the Department of Microbiology vide posting order dated 20.10.2008 issued by the second respondent posting



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her as Tutor in Microbiology, Coimbatore Medical College, Coimbatore and the petitioner joined the said post on 31.10.2008. Thereafter, a vacancy arose to the post of Non Medical Tutor in Microbiology in Coimbatore Medical College and accordingly, based on the representation submitted, the petitioner was transferred and posted as Non Medical Tutor in Microbiology in Coimbatore Medical College.

4. In the year 2019, the Government issued G.O.4(D), Health and Family Welfare Department dated 15.02.2019 for restructuring of teaching post in DME side and accordingly orders were issued restructuring the teaching post in every institution and the existing teaching faculties were accommodated in the restructured posts. Consequently, the petitioner was issued with an order dated 04.11.2019, as per which, she was again posted as Non Medical Tutor in Microbiology in Coimbatore Medical College. While so, an Erratum was issued by the second respondent on 15.11.2019, as per which, the petitioner has been directed to be posted as Medical Officer (DEIC) in Coimbatore Medical College coming under the Paediatrics Department. Since it remains to be a clinical speciality, she was again issued with another order by the office of the 2nd respondent dated 18.11.2019 as per which she has been posted as Non



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Medical Tutor in Bio Chemistry in Coimbatore Medical College. Accordingly

the petitioner has been posted as Non Medical Tutor in Bio Chemistry.

Therefore, she has given a representation on 11.04.2022 to post her in her parent department viz., Department of Microbiology, Coimbatore Medical College, Coimbatore.

5. It is brought to the notice of this Court that the Dean, Coimbatore Medical College, Coimbatore by letter dated 14.10.2022 addressed to the Director of Medical Education, Kilpauk, Chennai-10 has recommended the case of the petitioner .

6. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this court.

7. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 11.04.2022 requesting for posting her as Non Medical Tutor in the Department of Microbiology in the existing vacancy within a



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period of eight weeks from the date of receipt of a copy of this order.

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With the aforesaid direction, the writ petition is disposed of. No

costs.

20.10.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order

To,

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Rep.by its Principal Secretary to Government,
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ABDUL QUDDHOSE,J.,

SR

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