



WEB COPY



W.P. No.32995 of 2022
and W.M.P.No.32394 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.32995 of 2022
and
W.M.P.No.32394 of 2022

Dr.K.V.S.Latha M.B.B.S.,

... Petitioner

Vs.

1. The Principal Health Secretary to the Government,
Health and Family Welfare Department,
Government of Tamil Nadu, Secretariat,
Fort St. George, Chennai – 600 009.

2. The Director of Medical Education,
Government of Tamil Nadu,
Poonamallee High Road,
Kilpauk, Chennai – 600 010.

3. The Dean,
Madras Medical College,
Chennai – 600 004.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to include my name as No.1 in the panel published by the second respondent in proceedings K.Dis.No.56665/E1/1/2022-Med.Onco dated



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26.10.2022 for the year 2022-2023 for the promotion to the post of Professor in Department of Medical Oncology in Tamilnadu Government Medical Service along with other three candidates namely Dr.B.Ramkumar, Dr.M.Prabagar and Dr.Premkumar and consequently direct the second respondent to conduct fresh counseling for filling up vacant post of Professor in Department of Medical Oncology in Tamil Nadu Government Medical Service.

For Petitioner : Mr.A.Veerassamy
For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.D.Ravichander, learned Special Government Pleader accepts notice for the respondents.

3. The grievance of the petitioner in this writ petition is that her juniors have been included in the promotion panel as per the proceedings of the second respondent dated 26.10.2022.

4. As seen from the said proceedings, it has been made clear that any person in the cadre of Associate Professor if aggrieved by the said



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proceedings are allowed to submit an appeal through the proper channel, within two months from the date of issuance of the said proceedings. Accordingly, the petitioner has preferred an appeal dated 05.12.2022 to the second respondent. Since appeal has not been considered till date and the petitioner apprehends that the proceedings dated 26.10.2022 of the second respondent will be implemented, the petitioner has filed this writ petition.

4. Heard Mr.A.Veerassamy, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader for the respondents.

5. No prejudice would be caused to the respondents, if the petitioner's appeal dated 05.12.2022 referred supra is considered on merits and in accordance with law by the second respondent, within a time frame to be fixed by this Court. Since the petitioner apprehends that shortly in accordance with the promotion panel dated 26.10.2022 issued by the second respondent, the named persons will be promoted, necessarily the appeal, dated 05.12.2022 submitted by the petitioner referred supra will have to be disposed of expeditiously by the second respondent.



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6. 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 appeal dated 05.12.2022 requesting for inclusion of her name in the promotion panel for the post of Professor, within a period of two weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

08.12.2022

Note : Issue order copy on 09.12.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

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To

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ABDUL QUDDHOSE, J.

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08.12.2022