



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **10.02.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **PARESH UPADHYAY**

and

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.A(MD)No.87 of 2022

and

C.M.P(MD)Nos.953 and 954 of 2022

Against W.P(MD)No.21062 of 2021

Dr.L.Bhuvaneshwari

.. Appellant/Petitioner

Vs.

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St. George, Chennai - 09.

2.The Director,
Directorate of Medical Education,
No.162, EVR Periyar Salai,
Kilpauk, Chennai - 10.

3.The Secretary,
Selection Committee,
Directorate of Medical Education,
No.162, EVR Periyar Salai,
Kilpauk, Chennai - 10.

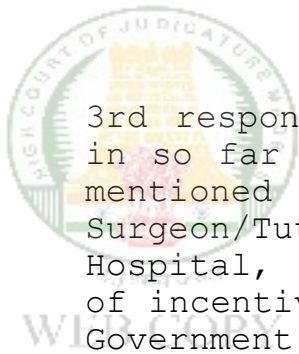
4.The Chairman,
National Medical Commission,
Phase I, Dada Dev Mandir Road,
Block-P, Sector 8, Dwaraka,
New Delhi.

.. Respondents/ Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent Act against the order dated 24.01.2022 passed in W.P(MD)No.21062 of 2021 by the learned Single Judge.

Prayer in WP(MD). 21062 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for records relating to the impugned government order in G.O.Ms.No.86 Health and Family Welfare (MCA-1) Department dated 06.03.2019 passed by the 1st respondent in so far as non inclusion of Government Head Quarter Hospital at Pudukkottai in the list of hospitals as appended in the Annexure No.I to III of the Government Order and consequential impugned communication of the



3rd respondent in reference no.1292/SCS 2(1)/2021 dated 12.11.2021 in so far as mentioning the length of service of the petitioner as mentioned in S.No.2 of the said communication as Asst. Surgeon/Tutor/Casualty Medical Officer at Government Medical College Hospital, Pudukkottai from 20.08.2009 to till date and calculation of incentive marks per the annexure I to V appended to the Impugned Government order as mentioned above and quash the same and consequently direct the respondents 1 to 4 to award incentive marks to the petitioner for the selection to the PG course by considering her length of service put on by her from 05.02.2009 to 19.08.2009 at Govt. Hospital, Gandarvakottai and from 20.08.2009 to 03.05.2017 at CemONC centre, Govt. Head Quarters Hospital, Pudukkottai along with the remaining length of service put on by her in the Govt. Medical College Hospital as well within a time frame as fixed by this Hon'ble Court.

For Appellant : Mr.B.Prahalad Ravi

For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

J U D G M E N T

[Delivered by **PARESH UPADHYAY, J.**]

Learned advocate for the appellant seeks permission to withdraw this appeal. Permission as prayed for, is granted. Accordingly, this writ appeal is dismissed as withdrawn. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

smn/8

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

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4.The Chairman,
National Medical Commission,
Phase I, Dada Dev Mandir Road,
Block-P, Sector 8, Dwaraka,
New Delhi.

+1 CC to M/s.SPL.GP (SR-5753[F] dated 11/02/2022)

W.A (MD) No. 87 of 2022
10.02.2022

RD(16.03.2022) 3P 6C