



W.P.(MD).No.5192 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.12.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.5192 of 2019
and
W.M.P.(MD).No.4153 of 2019**

Dr.S.Saraswati

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Health and Family Welfare,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Medical Education,
Kilpauk,
Chennai – 600 010.
- 3.The Dean,
Madras Medical College Cum Rajiv Gandhi,
Government General Hospital,
Chennai,
Chennai – 600 003.
- 4.The Dean,
Madurai Government Medical College,
Madurai,
Madurai District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondents to include the petitioner herein in the panel for the forthcoming / proposed promotions to the post of Associate Professor in Urology under the Directorate of Medical Education.

For Petitioner : Mr.K.Ragatheesh Kumar,
For M/s.Isaac Chambers

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader.

ORDER

This Writ Petition is filed for Mandamus directing the first and second respondents to include the petitioner in the panel for the forthcoming / proposed promotions to the post of Associate Professor in Urology under the Directorate of Medical Education.

2. The petitioner was serving as Senior Assistant Professor in the Department of Urology in the Madras Government Medical College cum Rajiv Gandhi Government General Hospital, Chennai. The petitioner was issued with



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charge memo dated 23.08.2018. Because of the pendency of this charge memo, the petitioner's name was not included in the promotion panel. However, the charge memo was quashed by this Court vide order dated 21.06.2022 in W.P.(MD).No.5163 of 2019. Pending the Writ Petition challenging the charge memo, the writ petitioner has filed this present Writ Petition in W.P.(MD).No. 5192 of 2019 seeking a direction to include the petitioner's name in the promotion panel. Since the Writ Petition in W.P.(MD).No.5163 of 2019 is allowed, the petitioner is entitled to include her name in the promotion panel for the year 2019-2020. Moreover, there was an interim direction by this Court in the present writ petition, directing the authorities to allow the petitioner to participate in the counselling vide order dated 05.03.2019 in W.M.P.(MD)No. 4153 of 2019

3. The learned counsel appearing for the writ petitioner submitted that the counselling for the proposed promotions to the post of Associate Professor in Urology is being conducted today that is on 16.12.2022.



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4. Therefore, this Court directs the respondents to allow the petitioner to participate in the aforesaid counselling process held today i.e. on 16.12.2022. The order is passed in the presence of learned Additional Government Pleader. The learned Additional Government Pleader is directed to inform about the order passed by this Court with an immediate effect to the respondents over phone.

5. In view of the above, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

16.12.2022

Index : Yes / No
Internet : Yes/ No
Nsr

Note: Issue Order Copy on 16.12.2022.



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To

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1. The Principal Secretary,
The State of Tamil Nadu,
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S.SRIMATHY, J.

Nsr

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16.12.2022