



WEB COPY



W.P. No. 12350 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 12350 of 2023

Dr. Raj Kumar

... Petitioner

-VS-

1. The Secretary,
Health and Family Welfare,
Government of Tamil Nadu,
Secretariat,
Chennai – 600009.
2. The Director of Medical Education,
Kilpauk,
Chennai – 600010.
3. The Dean,
Madras Medical College,
Chennai – 600003.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the Petitioner representation dated 21.10.2022 and consequently designate this Petitioner as 'Professor' with a time frame as may be fixed by this Court.

For Petitioner : Mr. S.T.Bharath Gowtham

For Respondents : Mr. B.Vijay,
Additional Government Pleader



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ORDER

WEB COPY Heard Mr. S.T.Bharath Gowtham, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 21.10.2022 to the Respondents to designate him as Professor, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 21.10.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;



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(iii) in the event of not being satisfied with the requirements even thereafter,

an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and

(v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

24.04.2023

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Index: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Secretary,
Health and Family Welfare,
Government of Tamil Nadu,
Secretariat,
Chennai – 600009.



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2. The Director of Medical Education,
Kilpauk,
Chennai – 600010.

3. The Dean,
Madras Medical College,
Chennai – 600003.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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