



WEB COPY



W.P.No.17441 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.17441 of 2023

Dr.M.Loganathan, MBBS MD (General Medicine) ... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Secretariat, Chennai.

2.The Chairman,
TNPSC, Chennai.

3.The Director,
Department of Public Health and
Preventive Medicine,
DMS Campus,
Chennai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's seniority based on merits instead of adopting community-based rotation seniority by considering the petitioner's representation dated 11.08.2022.



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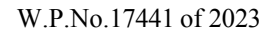
For Petitioner : Mr. R.Kannan
For Respondents :
For R1 & R3 : Mr. S.Prabhakaran
Government Advocate

For R2 : Mr.I.Abrar Mohammed Abdullah
Standing Counsel

ORDER

The petitioner seeks issuance of a Writ of Mandamus, to direct the respondents to consider his seniority, based on merits instead of adopting community-based rotation seniority, by considering and disposing his representation dated 11.08.2022.

2. The case of the petitioner is that he was a meritorious and successful candidate in the examination conducted by Tamil Nadu Public Service Commission (TNPSC) way back in the year 1998. Thereafter, he was appointed as Assistant Surgeon in Primary Health Center, Singalandapuram in the year 1999. He completed his Post-Graduation in the year 2005 at Kilpauk Medical College, Chennai. Thereafter, he has been posted as Assistant Professor on 14.04.2007 and promoted as Associate Professor on 24.06.2019 and he is presently holding the same post in the Department of Medicine at Government Mohan Kumaramangalam Medical College at Salem.



6. Heard the learned counsel for the petitioner, the learned Government Advocate for the first and third respondents and the learned Standing Counsel for the second respondent.



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7. Mr.I.Abrar Mohammed Abdullah, learned Standing Counsel for the second respondent would submit that, similar matter was taken up by the Hon'ble Apex Court in Cont.P.No.6415 of 2021 and was heard on 18.04.2023, wherein, the Hon'ble Apex Court has passed certain directions and that the respondents would abide by the said directions of the Hon'ble Supreme Court and accordingly decide the representation of the writ petitioner.

8. Recording the said submission, the second respondent is directed to consider and dispose of the petitioner's representation dated 11.08.2022, in line with the directions issued by the Hon'ble Supreme Court in Cont.P.No.6415 of 2021 dated 18.04.2023.

9. This Writ Petition is disposed of with the above direction. No costs.

13.06.2023

Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes / No

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To



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- 1.The Principal Secretary to Government,
Department of Health and Family Welfare,
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- 2.The Chairman,
TNPSC, Chennai.
- 3.The Director,
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P.B.BALAJI, J.

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