



W.P.No.25195 of 2023

W.P.No.25195 of 2023
and
W.M.P.Nos.24613 & 24614 of 2023

M.S.RAMESH,J.

Today, the matter is listed under the caption “For Being Spoken To”.

2. On consideration of the submission made, paragraph No.3 and 'To' address of the earlier order of this Court dated 21.11.2023 passed in W.P.No.25195 of 2023, shall be deleted and stand substituted as follows:-

3. In the light of the submission made, there shall be a direction to the second respondent to consider the representation dated 20.09.2023 in accordance with the guidelines in G.O.131(2D) dated 20.11.2007 governing such transfer, within a period of two weeks from the date of receipt of a copy of this order.

To

1. The Secretary
Health and Family Welfare Department
Fort St.George, Secretariat,
Chennai-600 009.
2. The Director
Directorate of Medical Education
Kilpauk, Chennai-600 010.



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3. All other findings and observations made in the earlier order dated 21.11.2023, shall remain intact.

29.11.2023

(Note: Registry is directed to carry out the above corrections and issue fresh order copy)

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W.P.No.25195 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.25195 of 2023

and

W.M.P.Nos.24613 & 24614 of 2023

Dr.P.Sudha

D/o.Peethambaram

...Petitioner

Vs

1. The Secretary
Health and Family Welfare Department
Fort St.George
Secretariat,
Chennai-600 009.

2. The Director
Directorate of Medical Education
Kilpauk
Chennai-600 010.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records and to quash the impugned circular in Ref.No.35800/E3/1/2023 dated 19.04.2023 issued by the 2nd respondent and consequently, directing the respondents to act as per G.O.131(2D) dated 20.11.2007 and to determine the qualification for any medical officer to receive promotion in a service as for station seniority and not by their departmental seniority



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in accordance with law.

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For Petitioner : Mr.C.Kanagaraju
For Respondents : Mr.M.Bindran
Additional Government Pleader

ORDER

The writ petition has been filed seeking to quash the impugned circular dated 19.04.2023 bearing Ref.No.35800/E3/1/2023 issued by the 2nd respondent and consequently, direct the respondents to act as per G.O.131(2D) dated 20.11.2007 and determine the qualification for any medical officer to receive promotion in a service as per station seniority and not by their departmental seniority in accordance with law.

2. Though the petitioner herein has challenged the circular of the respondent herein dated 19.04.2023, touching upon the exercise of options of Medical Officer for transfer counselling, learned counsel for the petitioner submits that the petitioner had given a representation dated 20.09.2023 to the second respondent herein seeking for transfer in any of the vacancies that may arise in the Department of Psychiatry at Salem. The learned counsel also submitted that he would be satisfied if the respondents are directed to consider the petitioner's representation within the stipulated time.



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3. In the light of the submission made, there shall be a direction to the second respondent to consider the representation dated 20.09.2023 in accordance with the guidelines governing such transfer, within a period of two weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

21.11.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

mk

To



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1. The Union of India
Rep. by its Secretary to Government
Environment, Forest and Climate Change Department
Indira Paryavaran Bhawan, Jor Bagh
New Delhi-110 003.
2. The Union of India
Rep. by its Secretary to Government
Department of Pension and Pensioners Welfare
Lok Nayak Bhavan Khan Market
New Delhi.
3. The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government
Environment, Climate Change and Forest Department
Fort St.George
Chennai-9.
4. The Principal Chief Conservator of Forest & Head of Forests
Velachery Main Road
Guindy, Chennai-32.



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21.11.2023