



W.P.No.27795 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27795 of 2023

V.Sasireka

... Petitioner

Versus

1.The Chief Secretary to Government cum Chariman,
Departmental Promotion Committee,
Chief Secretariat Building,
Chief Secretariat,
Puducherry.

2.The Director of Medical Services,
Directorate of Health and Family Welfare Sciences,
Government of Puducherry,
Puducherry.

3.The Health Secretary to Government cum Vice Chairman,
Chief Secretariat,
Puducherry-1.

4.The Dean,
Mother Theresa Post Graduate & Research Institute of Health Sciences,
Indira Nagar, Gorimedu,
Puducherry – 06.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the representation dated 21.08.2023, for forbearing the respondents from preparing regularization from the adhoc promotion proposal, until the disposal of the writ petition in W.P.No.15068/2021.



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For Petitioner : Mr.V.Balamurugane
For Respondents : Mr.R.Sreedhar,
Additional Government Pleader (Puducherry)

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ORDER

This Writ Petition has been filed to consider the petitioner's representation, dated 21.08.2023 and forbear the respondents from preparing regularization from the adhoc promotion proposal until the disposal of the writ petition in W.P.No.15068 of 2021.

2.The contention of the learned counsel for the petitioner is that the petitioner was appointed as Assistant Lecturer in the 4th respondent Institution in the year 2008 and her probation was declared in the year 2010 and joined the post of Principal Nursing Officer on 13.01.2015. The petitioner is fully eligible to be promoted to the post of Associate Professor as per Clause 11 of the Recruitment Rules. Though the seniority was fixed as per the Recruitment Rules, without challenging the same, one Dr.V.R.Selvambigai has filed a Writ Petition in W.P.No.15068 of 2021 and obtained an order of interim injunction on 22.07.2021. Because of the pendency of the above writ petition, the petitioner's opportunity of promotion is unnecessarily stalled. In the meantime, the persons who are juniors to the petitioner and similarly placed were given promotion and



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posted as Professors. In this regard, the petitioner has given representation to the respondents on 21.08.2023, however the same has not been considered. Hence, seeks direction of this Court.

3.Heard the submissions of the learned counsel for the petitioner and the learned Additional Government Pleader (Puducherry) appearing for the respondents.

4.Considering the limited relief sought for by the petitioner, this Court directs the respondents to consider the representation of the petitioner, dated 21.08.2023 and pass order on merits and in accordance with law, within a period of three months, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of.
No costs.

25.09.2023

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N.SATHISH KUMAR, J.



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Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

To

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