



W.P.(MD)No.2919 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2919 of 2023
W.M.P(MD).No.2717 of 2023

K.Senthilkumari

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of Health and Family Welfare,
Fort St.George,
Chennai-9.

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

3.The Dean,
Madurai Medical College,
Madurai-625 020.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant promotion to the petitioner to the post of Associate Professor, Department of Pharmaceutics by implementing the draft *inter se* seniority prepared by the second respondent/Director of Medical



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Education vide proceedings in Ref.No.99037/E2/1/2019 dated 22.08.2022.

For Petitioner : Mr.T.Aswin Rajasimman
for M/s.Lajapathi Roy and
Associates
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction to the second respondent to grant promotion to the petitioner to the post of Associate Professor, Department of Pharmaceutics by implementing the draft *inter se* seniority prepared by the second respondent/Director of Medical Education vide proceedings in Ref.No.99037/E2/1/2019 dated 22.08.2022.

2. The case of the petitioner is that the petitioner is working as Lecturer in the Department of Pharmaceutical Chemistry at College of



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Pharmacy, Madurai Medical College. She was originally appointed as Pharmacist on consolidated basis in the year 2002 and thereafter, was brought under regular time scale of pay on 15.03.2005. Though she is qualified for promotion to the post of Assistant Professor immediately after completion of her probation (i.e.,) on 19.05.2007, she is not promoted to the post of Lecturer/Assistant Professor in the year 2007. In the meanwhile, the Draft *inter se* seniority was prepared by the Director of Medical Education vide proceedings in Ref.No.99037/E2/1/2019 dated 22.08.2022, in which, the name of the petitioner was included in S.No.9. While so, the second respondent is proposing to fill up the post of Associate Professor by accommodating the juniors, without giving promotion to the petitioner as Associate Professor. Hence, the petitioner has made a representation on 31.01.2023. But, till date, no order was passed. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court directs the second respondent to



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implement the *inter-se* seniority list dated 22.08.2022 in Ref.No. 99037/E2/1/2019, by considering the representation of the petitioner dated 31.01.2023 and pass appropriate orders on merits and in accordance with law within a specified period.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to implement the *inter-se* seniority list dated 22.08.2022 in Ref.No.99037/E2/1/2019, by considering the representation of the petitioner dated 31.01.2023 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

14.02.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

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M.DHANDAPANI,J.

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