



W.A.(MD) No.745 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.745 of 2023
and
C.M.P.(MD) No.6343 of 2023**

1.The State of Tamil Nadu
rep.by its Principal Secretary to Government
Health and Family Welfare Department
Secretariat, Chennai-600 009

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

... Appellants

-vs-

Dr.R.Subbulakshmi

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 20.09.2022, passed in W.P.(MD) No.24712 of 2019, on the file of this Court.



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For Appellants : Mr.D.Sadiq Raja
Additional Government Pleader

For Respondent : Mr.M.Ajmal Khan, Senior Counsel
M/s.Ajmal Associates

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

What has been done by the Writ Court is only to reiterate the earlier order dated 14.08.2019 passed in W.P.(MD) No.15215 of 2019 etc. batch, in and by the said order, the Writ Court directed the appellants to recommence the counselling exercise and complete the same on the basis of the recommendations of the Committee, within a period of three months from the date of receipt of a copy of the order. Admittedly, the said order has not been complied with by the appellants with reference to the Microbiology Department. Even while rejecting the claim of the respondent / writ petitioner, since she has already chosen to join as Assistant Professor in Virudhunagar Medical College, the Writ Court had only directed the counselling, as directed in W.P.(MD) No.15215 of 2019 etc. batch, to be conducted within a period of three months from the date of receipt of a copy of the order.



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2. We do not see any real grievance for the appellants, since the earlier order in W.P.(MD) No.15215 of 2019 etc. batch has become final. If the Authorities do not want to comply with the earlier order, they must challenge the same. In fact, the said order has been complied with in part. The actual reason for not conducting counselling for Microbiology Department and six other Departments is not forthcoming, except to state that it was due to Covid pandemic. Now, that pandemic is over, the Authorities will do well to comply with the earlier order. Hence, this writ appeal fails and it is accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : Yes / No
Index : Yes / No
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