



WEB COPY



W.P.No.3466 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.3466 of 2024
and W.M.P.No.3723 of 2024

Dr.K.Hemalatha

... Petitioner

-Vs-

1. The State of Tamil Nadu,
represented by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Director of Medical Education and Research,
No.162, Periyar E.V.R High Road,
Kilpauk,
Chennai – 600 010.

3. Dr.Malathi

4. Dr.S.Keerthana

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents 1 and 2 to pass orders declaring the transfer and posting of 3rd and 4th Respondents in the post of Assistant Professor in Pharmacology Kilpauk Medical College, Chennai - 600 010 and Stanley Medical College, Chennai - 600 001 on 20.01.2024 and 27.01.2024 respectively as temporary posting and consequently notify the said posts as vacant for the transfer counselling to be conducted in pursuant to circular issued by the 2nd Respondent in Ref. No.000033/E3/1/2024



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dated 05.01.2024 in accordance with Clause 10.14 of G.O.(2D)No.131, Health and Family Welfare(A1) Department dated 20.11.2007 by reckoning the station seniority of the Petitioner from the date of posting order, in consideration of representation submitted by the petitioner dated 27.04.2023, 02.08.2023 and 12.01.2024.

For Petitioner : Mr.G.Sankaran, Senior Counsel
for Mr.S.Nedunchezhiyan

For R1 and R2 : Mrs.M.Sneha
assisted by
Mr.Tippu Sulthan
Government Advocate
ORDER

This writ petition has been filed for direction directing the Respondents 1 and 2 to pass orders declaring the transfer and posting of 3rd and 4th Respondents in the post of Assistant Professor in Pharmacology Kilpauk Medical College, Chennai - 600 010 and Stanley Medical College, Chennai - 600 001 on 20.01.2024 and 27.01.2024 respectively as temporary posting and consequently notify the said posts as vacant for the transfer counselling to be conducted in pursuant to circular issued by the 2nd Respondent in Ref. No.000033/E3/1/2024 dated 05.01.2024 in accordance with Clause 10.14 of G.O.(2D)No.131, Health and Family Welfare(A1) Department dated 20.11.2007 by reckoning the station seniority of the Petitioner from the date of posting order, in consideration of representation submitted by the petitioner dated 27.04.2023, 02.08.2023 and 12.01.2024.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. Though the petitioner apprehended that without declaring the posts of of Assistant Professor in Pharmacology in Kilpauk Medical College, Chennai and the post of Assistant Professor in Pharmacology in Stanley Medical College, Chennai occupied by the third and fourth respondents, the counselling could not be conducted, the learned Government Advocate appearing for the respondents 1 and 2, on written instructions submitted that one post of Assistant Professor in Pharmacology in Kilpauk Medical College and another post of Assistant Professor in Pharmacology in Stanley Medical College, Chennai will be shown as vacant during transfer counselling.

4. In view of the above, the respondents 1 and 2 are directed to show one post of Assistant Professor in Pharmacology in Kilpauk Medical College and one post of Assistant Professor in Pharmacology in Stanley Medical College, Chennai as vacant during transfer counselling.

5. With the above directions, this writ petition is disposed of.



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Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

15.02.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Director of Medical Education and Research,
No.162, Periyar E.V.R High Road,
Kilpauk,
Chennai – 600 010.

G.K.ILANTHIRAIYAN. J,

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