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W.P.No.8884 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.8884 of 2012

P.Gunasekaran

... Petitioner

Vs.

- 1.The Principal Secretary,
Department of Health &
Family Welfare,
Chennai – 9.
- 2.The Director of Public Health
& Preventive Medicine,
Chennai – 6.
- 3.The Director of Medical &
Rural Health Services,
Chennai.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the entire records in pursuant to the fitment order passed by the third respondent vide pro.R.No.60900/E6/1/2011-4, dated 09.11.2011 and the posting order passed by the second respondent vide R.No.68598/PHC5/A2/2011-37 dated 01.12.2011 in so far as fitting the petitioner in the post of Senior Civil Surgeon instead of Chief Civil Surgeon is concerned and quash the same and



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direct the respondents to fit the petitioner in the post of Chief Civil Surgeon with retrospective effect with all consequential benefits.

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For Petitioner : Mr.T.P.Prabakaran

For Respondents 1 to 3 : Mr.C.Selvaraj,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition to call for the entire records in pursuant to the fitment order passed by the third respondent vide pro.R.No.60900/E6/1/2011-4, dated 09.11.2011 and the posting order passed by the second respondent vide R.No.68598/PHC5/A2/2011-37 dated 01.12.2011 in so far as fitting the petitioner in the post of Senior Civil Surgeon instead of Chief Civil Surgeon is concerned and quash the same and direct the respondents to fit the petitioner in the post of Chief Civil Surgeon with retrospective effect with all consequential benefits.

2. When the matter was taken up for hearing, learned Additional Government Pleader appearing for the respondents submitted a copy of a written instruction given by the Directorate of Medical and Rural Health Services in Ref.No.75785/E6/1/2023, dated 13.12.2023, wherein it is stated



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that the petitioner has already been awarded time bound promotion as Chief Civil Surgeon with effect from 06.06.2010. Hence, nothing survives in this petition for further adjudication and prayed this Court that this writ petition may be closed.

3. In view of the above submission made by the learned Additional Government Pleader appearing for the respondents, this writ petition stands closed. No costs.

23.01.2024

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

- 1.The Principal Secretary,
Department of Health &
Family Welfare,
Chennai – 9.
- 2.The Director of Public Health
& Preventive Medicine,
Chennai – 6.

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3.The Director of Medical &
Rural Health Services,
Chennai.

J.SATHYA NARAYANA PRASAD,J.

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