



WEB COPY



W.P.Nos.23411, 23414, 23416 & 23417 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2024

CORAM:

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

W.P.Nos.23411, 23414, 23416 & 23417 of 2021 and
WMP.Nos.24685, 24686, 24687, 24690, 24691 & 24692 of 2021

WP.No.23411 of 2021

Dr.A.Preethi MD(Oncology)

... Petitioner

Vs.

- 1.State of Tamilnadu,
Rep. by its Health Secretary,
Fort St.George,
Chennai 600 009
 - 2.The Director of Medical Education (DME),
Directorate of Medical Education,
No.162, Periyar E.V.R. Salai, Kilpauk,
Chennai 600 010
 - 3.The Dean,
Office of the Dean, Madras Medical College,
Periyar E.V.R.Salai, Park Town,
Chennai 600 003
 - 4.The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
Room No.348, 'A' Wing, Nirmal Bhawan,
New Delhi 110 001
 - 5.National Medical Commission,
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi 110 077
- (respondents 4 & 5 suo motu impleaded vide



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order dated 28.10.2021 made in
WP.No.23411 of 2021)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the entire records leading to the issue of proceedings bearing reference No.3024/ME5(1)/2021 dated 03.09.2021 on the file of the third respondent herein and to quash the same.

For Petitioners : Mr.K.Sridhar

For Respondents

For R1 : Mr.K.Tippu Sulthan,
Government Advocate

For R2 & 3 : Mrs.M.Sneha,
Special Counsel for Health

For R4 : Mr.K.Subbu Ranga Bharathi,
Central Government Standing Counsel

For R5 : Mr.Subharanjani Ananth,
Standing Counsel

WP.No.23417 of 2021

Dr.P.V.Jatin

... Petitioner

Vs.

- 1.State of Tamilnadu,
Rep. by its Health Secretary,
Fort St.George,
Chennai 600 009
- 2.The Director of Medical Education (DME),
Directorate of Medical Education,
No.162, Periyar E.V.R. Salai, Kilpauk,



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Chennai 600 010

3.The Dean,

Office of the Dean, Madras Medical College,
Periyar E.V.R.Salai, Park Town,
Chennai 600 003

4.The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
Room No.348, 'A' Wing, Nirmal Bhawan,
New Delhi 110 001

5.National Medical Commission,
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi 110 077

(respondents 4 & 5 suo motu impleaded vide
order dated 28.10.2021 made in
WP.No.23417 of 2021)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the entire records leading to the issue of proceedings bearing reference No.13024/ME5(1)/2021 dated 03.09.2021 on the file of the third respondent herein and to quash the same.

For Petitioners : Mr.K.Sridhar

For Respondents

For R1 : Mr.K.Tippu Sulthan,
Government Advocate

For R2 & 3 : Mrs.M.Sneha,
Special Counsel for Health

For R4 : Mr.K.Subbu Ranga Bharathi,
Central Government Standing Counsel



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For R5 : Mr.Subharanjani Ananth,
Standing Counsel

WP.No.23414 of 2021

Dr.Amiya Ranjan

... Petitioner

Vs.

- 1.State of Tamilnadu,
Rep. by its Health Secretary,
Fort St.George,
Chennai 600 009
- 2.The Director of Medical Education (DME),
Directorate of Medical Education,
No.162, Periyar E.V.R. Salai, Kilpauk,
Chennai 600 010
- 3.The Dean,
Office of the Dean, Stanley Medical College,
Periyar E.V.R.Salai, Park Town,
Chennai 600 003
- 4.The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
Room No.348, 'A' Wing, Nirmal Bhawan,
New Delhi 110 001
- 5.National Medical Commission,
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi 110 077

(respondents 4 & 5 suo motu impleaded vide
order dated 28.10.2021 made in
WP.No.23414 of 2021)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorari calling for the entire records leading to the issue of proceedings bearing reference No.5018/ME2/2021-



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8 dated 31.08.2021 on the file of the third respondent herein and to quash the same.

For Petitioners : Mr.K.Sridhar

For Respondents

For R1 : Mr.K.Tippu Sulthan,
Government Advocate

For R2 & 3 : Mrs.M.Sneha,
Special Counsel for Health

For R4 : Mr.K.Subbu Ranga Bharathi,
Central Government Standing Counsel

For R5 : Mr.Subharanjani Ananth,
Standing Counsel

WP.No.23416 of 2021

Dr.Rakesh

... Petitioner

Vs.

- 1.State of Tamilnadu,
Rep. by its Health Secretary,
Fort St.George,
Chennai 600 009
- 2.The Director of Medical Education (DME),
Directorate of Medical Education,
No.162, Periyar E.V.R. Salai, Kilpauk,
Chennai 600 010
- 3.The Dean,
Office of the Dean, Madras Medical College,
Periyar E.V.R.Salai, Park Town,
Chennai 600 003
- 4.The Director General of Health Services,
Ministry of Health and Family Welfare,



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Government of India,
Room No.348, 'A' Wing, Nirmal Bhawan,
New Delhi 110 001
5.National Medical Commission,
Pocket-14, Sector-8, Dwarka Phase-1,
New Delhi 110 077
(respondents 4 & 5 suo motu impleaded vide
order dated 28.10.2021 made in
WP.No.23416 of 2021)

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorari calling for the entire records leading
to the issue of proceedings bearing reference No.13024/ME5(1)/2021
dated 03.09.2021 on the file of the third respondent herein and to quash
the same.

For Petitioners : Mr.K.Sridhar

For Respondents

For R1 : Mr.K.Tippu Sulthan,
Government Advocate

For R2 & 3 : Mrs.M.Sneha,
Special Counsel for Health

For R4 : Mr.K.Subbu Ranga Bharathi,
Central Government Standing Counsel



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For R5 : Mr.Subharanjani Ananth,
Standing Counsel

COMMON ORDER

All the writ petitions have been filed challenging the show cause notices issued to the petitioners thereby directed the petitioners to report to the Director of Medical Education to get posting in Tamilnadu Medical Service or to pay the bond amount within a period of 15 days.

2. Heard, the learned counsel appearing on either side.

3. It is seen that on receipt of the said show cause notices, the petitioners failed to join and they also submitted their respective replies to the same. Now, they are pending for final orders. That apart, by way of the interim order dated 28.10.2021 of this Court, the petitioners were directed to appear before the second respondent on 8th and 15th November 2021 and also observed that the second respondent shall keep the appointment orders ready to be issued to them to enable them to join in the compulsory service. Though the second respondent was ready with



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the appointment orders, the petitioners failed to appear before the second respondent. Therefore, the interim order was not complied with by the petitioners. However, for the show cause notices under challenge in these writ petitions, the petitioners answered by way of reply to the third respondent. Therefore, the prayer sought for in these writ petitions to quash the show cause notices cannot be considered and all the writ petitions are devoid of merits and liable to be dismissed.

4. However, the third respondent is directed to pass final orders considering the reply submitted by the petitioners to the respective show cause notices, after giving opportunity of hearing to them, within a period of twelve weeks from the date of receipt of copy of this order. The petitioners are at liberty to produce relevant documents to reduce the bond period as well as for reduction of bond amount, if any, and the third respondent is directed to consider the same in accordance with law while passing final orders.



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5. With the above direction, all the writ petitions are dismissed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

25.06.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

lok

To

1. Health Secretary,
State of Tamilnadu,
Fort St. George,
Chennai 600 009
2. The Director of Medical Education (DME),
Directorate of Medical Education,
No.162, Periyar E.V.R. Salai, Kilpauk,
Chennai 600 010
3. The Dean,
Office of the Dean, Madras Medical College,
Periyar E.V.R. Salai, Park Town,
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4. The Director General of Health Services,
Ministry of Health and Family Welfare,
Government of India,
Room No.348, 'A' Wing, Nirmal Bhawan,
New Delhi 110 001
5. National Medical Commission,
Pocket-14, Sector-8, Dwarka Phase-1,
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