



WEB COPY



Writ Petition No.26254 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.26254 of 2024

Dr.S.Sathya

... Petitioner

Vs.

1.The Director of Medical Education,
No.162, Periyar E.V.R High Road,
Kilpauk, Chennai - 600 010.

2. The Director of Medical and Rural Health Services,
No.361, DMS Complex,
Anna Salai, Chennai - 600 006.

3. The Joint Director of Health Services,
Thiruvavarur, Thiruvavarur District.

4. The Dean,
Government Thiruvavarur Medical College,
Thiruvavarur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the third respondent to consider my representation dated 02.08.2024 and relieve the petitioner within a stipulated time, in light of the order passed in W.P.No.34432 of 2022 dated 23.12.2022 (Dr.Alen Major Venis Vs.Directorate of Public Health & Ors.).

For Petitioner : Mr.S.Venkatasubramaniyan

For Respondents : Mrs.M.Sneha

Special Standing Counsel

ORDER



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This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to consider the representation made by the petitioner on 02.08.2024 wherein the petitioner has sought for relieving him from the present station in order to enable the petitioner to join as a Senior Resident (Ophthalmology) at Government Medical College, Thiruvavarur.

2. When the matter came up for hearing on 05.09.2024, this Court passed the following order:

"Mr.M.Bindran, learned Additional Government Pleader, takes notice on behalf of respondents.

2. It is seen from records that the re-counselling was held and posting orders were issued by first respondent through proceedings dated 24.05.2024. The name of the petitioner is found at Sl.No.35 and the petitioner has been posted as a Senior Resident in Ophthalmology of Government Thiruvavarur Medical College, Thiruvavarur. The grievance of the petitioner is that the third respondent has not relieved the petitioner till date and hence, the petitioner is not able to join in the office of posting.

3. Learned Additional Government Pleader shall take instructions in this regard and shall ensure that the relieving orders are passed by third respondent in line with the posting order issued by the first respondent on 24.05.2024.

Post this case at the end of motion list on 17.09.2024."

3. When the matter was taken up for hearing today, learned Standing Counsel appearing on behalf of respondents submitted that the



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services of the petitioner will be required at least for a period of three months in the present station and thereafter, the petitioner will be relieved and posted as the Senior Resident (Ophthalmology) at Government Medical College, Thiruvarur.

4. Learned counsel for petitioner submitted that even if it is going to take some time to relieve the petitioner, the petitioner must be assured that he will be able to join the post of Senior Resident (Ophthalmology) and the same should not be filled up during the interregnum.

5. Taking into consideration the facts and circumstances of the case and the submissions made on either side, three (3) months time is granted for the third respondent to relieve the petitioner in order to enable the petitioner to join as Senior Resident (Ophthalmology) at Government Medical College, Thiruvarur. It is also made abundantly clear that during the interregnum, till the petitioner joins the post, the post of Senior Resident (Ophthalmology) should be kept intact and it should not be filled up with any other person.

N.ANAND VENKATESH, J

gm



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This writ petition is disposed of in the above terms. No costs.

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20.09.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

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