



WEB COPY



W.P.No.27498 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

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

W.P.No.27498 of 2023

Dr.A.Khaleel Ahmed

... Petitioner

Vs.

- 1.The Director,
Indian Medical and Homeopathy,
Arumbakkam,
Chennai 600 106
- 2.The Secretary,
Department of Health and Family Welfare,
Government of Tamilnadu,
Chennai
- 3.The Principal i/c,
Government Unani Medical College,
Chennai 600 106
- 4.Dr.Mubasheera Begum
- 5.National Commission,
For Indian System of Medicine, (NCISM),
Ministry of Ayush,
Government of India,
61-65, Institutional Area,
Janakpuri,
D-Block, New Delhi 110 058
- 6.The Registrar,
The TN Dr.MGR Medical University,
69, Anna Salai, Guindy,
Chennai 600 032

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the first respondent herein to consider the petitioner's representation dated 10.08.2023 and fix the seniority of the petitioner according to his experience in the Department of General Medicine without reference to and without taking into account the pendency of the charge memo under rule 17(b) in Government Letter No.8264/Ni2/1/2023-2 dated 12.08.2023.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondents

For R1 to3 : Mr.M.Brindan,
Additional Government Pleader

For R4 : Mrs.R.Poornima

ORDER

This writ petition has been filed for direction to the first respondent to consider the petitioner's representation dated 10.08.2023 to fix the seniority of the petitioner as per the experience without taking into account the pendency of the charge memo.

2. It is seen that the petitioner was issued charge memo dated 12.08.2023 under Rule 17(b) of Tamilnadu Civil Service (Discipline and Appeal) Rules. Therefore, while pending the charge memo, the



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representation submitted by the petitioner cannot be considered. As such this writ petition is devoid of merits and liable to be dismissed.

3. Accordingly, this writ petition is dismissed. However, after completion of disciplinary proceedings, the petitioner can very well make representation in the manner known to law. There shall be no order as to costs.

09.07.2024

Neutral citation: Yes/No

Index: Yes/No

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

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To

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