



WEB COPY

WP No. 22434 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-04-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

**WP No. 22434 of 2019
and W.M.P.No.21809 of 2019**

1. Dr.S.Muthuraj,
S/o. E. Subbiah, No. 25, Velupillai
Street, Kamalakannappa Nagar,
Villupuram - 605602 Viluppuram

Petitioner(s)

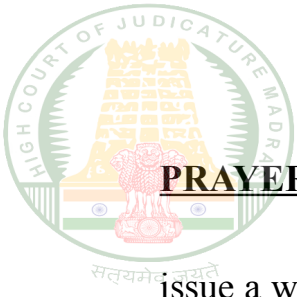
Vs

1. The State of Tamil Nadu
Rep. by The Secretary, Health and
Family Welfare Department
(Homeopathy) Fort St. George, Chennai
9Chennai

2.The Director,
Indian Medicine and Homeopathy,
Chennai - 116

3.The District Sidha Medical Officer,
Villupuram.

Respondent(s)



WEB COPY

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the 1st, 2nd and 3rd respondents to forthwith consider the claim of the petitioner for promotion to the post of District Sidha Medical Officer/ Medical Officer Sidha for inclusion at the appropriate place for such promotion on the basis of the representation dated 26.09.2018 on merits and within a time to be stipulated by this Honorable Court

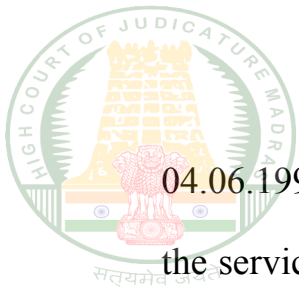
For Petitioner(s): L. Chandrakumar

For Respondent(s): Mr.K.Tippusulthan

ORDER

The writ petitioner has been filed seeking direction to direct the respondents 1, 2 and 3 to consider the claim of the petitioner for promotion to the post of District Sidha Medical Officer/ Medical Officer Sidha for promotion on the basis of the representation dated 26.09.2018 on merits.

2. The petitioner who was appointed as Assistant Siddha Medical Officer under Rule 10 (a) (i) of the General Rules for the Tamil Nadu State and Subordinate Services in the year 1987 got ousted in the year 1992 and reappointed on 04.06.1992 and thereafter his services have been regularized on



04.06.1998. A Government Order to that effect has been issued by regularizing the services of the petitioner with effect from his date of initial appointment on 10 (a) (i) basis. On 03.08.2018 the service particulars of the petitioners were called for inclusion in the panel for promotion to the post of District Sidha Medical Officer / Medical Officer Sidha in the year 2018 – 2019. However the petitioner's name was omitted to be included. Hence, the petitioner has given a representation in this regard to the respondents and the same has not been considered so far.

3. Mr.K.Tippusulthan, the learned Standing Counsel for the respondents, submitted that the petitioner has been assigned with the seniority position while he was regularized along with his batch mates. As the petitioner's seniority has not yet reached, he has not been included in the panel. It is further submitted that the petitioner got retired on 31.05.2023. However the petitioner claims that his juniors have been promoted but he has not been given with any promotion before his retirement. At least notional effect has to be given for promotion to get the pensionary benefits.

4. Since the petitioner's representation in this regard has not been considered so far by the respondents, the respondents shall take a call and pass order on merits.



5. In view of the above observations, the writ petition is disposed and the respondents are directed to consider the representation of the petitioner and pass orders on merits within a period of four weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petition is closed.

21-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

bkn



WP No. 22434 of 2019



To
WEB COPY

1. The Secretary, Health and Family
Welfare Department (Homeopathy) Fort
St. George, Chennai 9Chennai

2.The Director,
Indian Medicine and Homeopathy,
Chennai - 116

3.The District Sidha Medical Officer,
Villupuram



WEB COPY

WP No. 22434 of 2019



R.N.MANJULA J.

bkn

WP No. 22434 of 2019

21-04-2025