

W.P. No.33950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 08.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.33950 of 2025

and

W.M.P. Nos.38093 and 38095 of 2025

Dr. T. Jeyanthikumari, M.D.S.

.... Petitioner

VS.

1. The Government of Tamil Nadu
Rep. by its Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai – 600 009.

2. The Director of Medical Education,
Kilpauk,
Chennai – 600 010.

3. Dr. V. Harishnath, CML 2002, (R), 114,
Assistant Professor of Prosthodontics,
Tamil Nadu Government Dental College
and Hospital, Chennai – 600 003.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, calling for the impugned G.O. (D) No.739, Health and Family Welfare (A1) Department, dated 08.07.2025 passed by the 1st respondent and quash the same and consequently direct the 1st and 2nd respondents to include the petitioner's name in the panel year of 2020-2021 for the post of Associate Professor of Prosthodontics and forthwith promote the petitioner as Associate Professor of Prosthodontics as the petitioner is senior to the 3rd respondent.

For Petitioner : Mr.K. Raja

For Respondents : Mr.M. Bindran

Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself. Mr.M. Bindran, learned Additional Government Pleader takes notice on behalf of the respondents.

2. The prayer sought for in this writ petition is to quash G.O. (D) No.739, Health and Family Welfare (A1) Department, dated 08.07.2025 passed by the 1st respondent as well as for consequential directions to the 1st and 2nd respondents to include the petitioner's name in the panel year of 2020-2021 for the post of Associate Professor of Prosthodontics and forthwith promote the



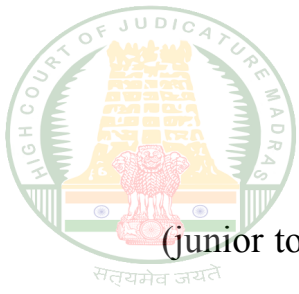
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petitioner as Associate Professor of Prosthodontics as he is Senior to the 3rd respondent.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. It is stated that the petitioner joined in service as Assistant Dental Surgeon and thereafter on completion of MDS course, he held the post of Assistant Professor and presently working as Senior Assistant Professor. It is also stated that the next avenue of promotion from the post of Assistant Professor would be to the post of Associate Professor of Prosthodontics. The crux of the case is that omitting the petitioner's name, the impugned panel was published by the 1st respondent vide G.O. (D) No.739, dated 08.07.2025 for the post of Associate Professor, thereby the 3rd respondent name was included. It is his claim that he is Senior to the 3rd respondent, whereas his name was not included. Challenging the said G.O., the petitioner has come up with this writ petition and also seeks directions to the respondents to include his name for the panel year 2020-2021 for the post of Associate Professor of Prosthodontics.

5. Learned counsel for the petitioner would submit that without considering the petitioner's eligibility and seniority, the 3rd respondent's name



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(junior to the petitioner) was included in the impugned panel, dated 08.07.2025

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passed by the 1st respondent, which is arbitrary and illegal. However, he fairly contended that though the said G.O. was challenged, it would suffice, if a direction is issued to the 2nd respondent to consider the petitioner's representation, dated 21.07.2025, which is by way of an appeal seeking to include his name in the promotion panel 2020-2021. He further submits that since the said representation was not considered by the respondents, till date, the petitioner restricts his prayer and therefore, he prays for issuance of appropriate directions in this regard.

6. Learned Additional Government Pleader appearing for the respondents submitted that only based on the eligibility, the 3rd respondent's name was included in the panel. However, he has no objection for issuance of appropriate directions by this Court to consider the petitioner's representation, dated 21.07.2025.

7. Heard the learned counsel on both sides and perused the entire records.

8. Considering the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the 2nd respondent to forward



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the petitioner's representation/appeal, dated 21.07.2025 to the 1st respondent,

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within a period of one week from the date of receipt of a copy of this order and on such receipt, the 1st respondent shall pass orders on merits and in accordance with law, within a period of two weeks thereafter.

9. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

08.09.2025

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

1. The Secretary,

Government of Tamil Nadu

Health and Family Welfare Department,

Fort St. George,

Chennai – 600 009.



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A.D. JAGADISH CHANDIRA, J.

vsi2

2. The Director of Medical Education,
Kilpauk,
Chennai – 600 010.

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and
W.M.P. Nos.38093 and 38095 of 2025

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