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W.P.No.42924 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2025

CORAM:

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

W.P.No.42924 of 2025 and
WMP.No.48008 of 2025

Dr.C.Adline Misba

... Petitioner

Vs.

1.The Government Of Tamil Nadu,
Rep. By Its Principal Secretary,
Health And Family Welfare Department, Fort St.George,
Secretariat, Chennai 09

2.The Directorate Of Medical Education And Research,
Rep. By Its Director,
Evr Periyar Salai, Kilpauk, Chennai 10

3.The Stanley Medical College,
Rep. By Its Dean,
Mc Road, Royapuram, Chennai 01

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st and 2nd respondent to consider and promote the petitioner to the post of Associate professor in Anatomy as she is fully qualified to hold the post in terms of the



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service rules and NMC norms within a time frame to be fixed by this court along with all consequential benefits such as seniority, monetary benefits, increments and all other benefits as admissible to the said post from the date when her juniors are to be promoted.

For Petitioner : Mr.V.Govardhanan

For Respondents : Mrs.M.Sneha,
Special Counsel for Health Department

ORDER

This writ petition has been filed for direction to respondents 1 & 2 to consider the case of the petitioner for promotion to the post of Associate Professor in Anatomy.

2. Initially, the petitioner was posted as Tutor / Assistant Professor in Anatomy in the third respondent college on temporary basis. Thereafter, she was re-designated as Assistant Professor in the third respondent college. On 11.03.2019, the petitioner's service was regularised as Assistant Surgeon from the date of her initial appointment. While being so, the next avenue of promotion to the petitioner is Associate Professor. However, she relinquished her promotion as



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Associate Professor in Anatomy with effect from 24.02.2021 subject to the condition that after expiry of three years, the petitioner will be considered without restoration of original seniority. Now there are five vacancies in the post of Associate Professor and as such, the petitioner submitted representation to consider her case for promotion to the post of Associate Professor after expiry of three years of relinquishment period.

3. On instruction, the learned Special Counsel for Health Department appearing for the respondents submitted that the petitioner is far junior as per the Civil Medical List and there are only two vacancies available to the post of Associate Professor in Anatomy. Therefore, seniors to the petitioner were promoted to the post of Associate Professor and the petitioner is far junior than the persons who were already promoted to the post of Assistant Professor in Anatomy. Therefore, whenever vacancies arise, as per the seniority in the Civil Medical List, the petitioner will be considered for promotion to the post of Associate Professor.



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4. Recording the above submission, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed.

There shall be no order as to costs.

07.11.2025

Neutral citation: Yes/No

Index: Yes/No

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

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