



W.P.(MD) No.4477 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)No.4477 of 2025
and W.M.P(MD)No.3216 of 2025

S.Ariharan

... Petitioner

Vs.

1. The State of Tamilnadu,
Represented by its Additional Chief Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai 5

2. The Commissioner,
Commissionerate of Indian Medicine and Homeopathy,
Aumbakkam,
Chennai 600 106.

3. The Principal,
Government Homeopathic Medical College and Hospital,
Tirumangalam,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to pass orders on the petition dated 11.11.2024 and 23.01.2025 preferred by the petitioner seeking to follow the National Commission of Homeopathy regulations with regard to promotion and revise the seniority list passed by the 1st respondent in G.O.(2D).No.19, Health and Family Welfare (IM1-1) Department dated 12.03.2024 within a time frame fixed by this Court.



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For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.S.Vinoth
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

2. The petitioner is working as Professor in the third respondent College. Though he made several averments in the affidavit filed along with this writ petition, the relief sought in the main writ petition is to direct the first respondent to pass orders on the petitions dated 11.11.2024 and 23.01.2025 submitted by the petitioner requesting to follow the National Commission of Homeopathy Regulations with regard to promotion and revise the seniority list, which was passed by the first respondent in G.O.(2D).No.19, Health and Family Welfare (IM1-1) Department dated 12.03.2024 within a time frame to be fixed by this Court.



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3. It appears that the first respondent has revised the seniority list to give promotion vide G.O.(2D).No.19, Health and Family Welfare (IM1-1) Department dated 12.03.2024. The grievance of the petitioner is that the said seniority list is revised without following the National Commission of Homeopathy Regulations. With a request to revise the seniority list as issued in G.O.(2D).No.19, Health and Family Welfare (IM1-1) Department dated 12.03.2024, the petitioner submitted petitions on 11.11.2024 and 23.01.2025. It appears these two petitions are pending with the first respondent without passing any order.

4. In view of the above factual position, in my considered opinion, no purpose would be served to anybody by keeping this writ petition pending years together before this Court. In view of the same, in my view, it is appropriate and reasonable to dispose of this writ petition at the admission stage itself with a direction to the first respondent to pass appropriate orders on the petitions dated 11.11.2024 and 23.01.2025 submitted by the petitioner in accordance with law within a stipulated time to meet the ends of justice.



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5. Accordingly, this writ petition is disposed of with a direction to the first respondent to pass appropriate orders on the petitions dated 11.11.2024 and 23.01.2025 submitted by the petitioner in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. It is needless to state that if the first respondent intends to revise the seniority list while considering the petitioner's petitions, the first respondent has to afford an opportunity to all the affected parties to put forth their case.

There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

19.02.2025

NCC : Yes/No
Index: Yes/No
Internet : Yes

CM



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To

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BATTU DEVANAND, J.

CM

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