



W.P.(MD)No.7439 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.7439 of 2025

Karthik Manikandan

... Petitioner

Vs.

1. The Government of Tamilnadu,
Rep. by its Principal Secretary to Government,
Department of Health and Family Welfare,
Fort St. George,
Chennai-600 009.

2. The Director of Public Health and Preventive Medicine,
Chennai-600 006.

3. The Deputy Director of Health Services,
Office of the Deputy Director of Health Services,
Erode District.

4. The Medical Officer,
Primary Health Centre,
Kolanalli,
Erode District.

5. The Chairman,
Medical Services Recruitment Board,
7th Floor, DMS Buildings,
359, Anna Salai, Teynampet, Chennai-600 006.



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6. The Dean Tirunelveli Medical College,
High Ground, Palayam Kottai,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1, 3 and 5 to grant extension of time for a period of 21 months i.e., till December 2025 to report to duty in pursuant to his appointment order dated 25.02.2025 in R.No. 9042223/5/A3/2024-648 so as to enable him to complete his Doctorate in Medicine in Nephrology with the 6th respondent and for other consequential reliefs.

For Petitioner : Mr.S.Ramesh

For Respondents : Mr.S.Vinoth
Government Advocate

ORDER

This writ petition has been filed seeking a writ of Mandamus directing the respondents to extend the time for reporting and joining in duty pursuant to the appointment order issued to him by considering his representation.

2. The petitioner in this case is pursuing Master Degree in General Medicine in the Stanley Medical College, Chennai in the year 2020-2023. Thereafter, he joined in Doctorate of Medicine in Nephrology in the sixth respondent college on December 2023, which will be completed by December

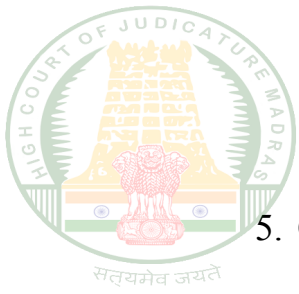


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2026. He participated in the selection process for recruitment to the post of Assistant Surgeon (General), pursuant to the Notification issued by the fifth respondent on 15.03.2024. He cleared the said examination and consequently he was issued with the appointment order on 25.02.2025 by the second respondent. The petitioner has to report duty within the period of fifteen days from the date of receipt of a copy of the said order.

3. The case of the petitioner is that as he pursuing his second year in Doctorate of Medicine in Nephrology and he is very busy in attending his physical classes and as such he could not able to respond to the appointment order issued by the second respondent. The contention of the petitioner is that he is filing present writ petition, without making a representation due to the urgency involved as the dead line for joining the duty expires on 21.03.2025.

4. Mr.Vinoth, the learned Government Advocate appearing for the respondent Nos.1 to 4 submits that if the request of the petitioner is consider to extend the joining time to him till the completion of his course that is in the month of December 2026, it will cause irreparable loss and hardship to the State Medical and Health Care system. In view of the same, he sought to dismiss the present writ petition.



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5. Considering the facts and circumstances, it appears that it is not the case of the petitioner to seek extension of time for few months. It appears that already he completed PG Course in General Medicine and he now prosecuting Doctorate of Medicine in Nephrology. As already stated by the learned Government Advocate, to complete the said course, two years time is required. Definitely, it will cause serious loss to the State Medical and Health Care System, if, the request of the petitioner to extend the time till December 2026 is considered as per the section 7 of the Tamilnadu Government Servants (Conditions of service) Act. In our view, such prolonged time period cannot be permitted.

6. In view of the same this Court is not inclined to pass any positive directions in favour of the petitioner and this writ petition is liable to be dismissed.

7. Accordingly, this writ petition is dismissed.

There shall be no order as to costs.

04.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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BATTU DEVANAND, J.

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