



W.P.(MD).No.947 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.08.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD).No.947 of 2019

Dr.Chellabaskar

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by it's Director,
Directorate of Medical Education,
Kilpauk, Chennai.
- 2.The Director,
Medical and Rural Health Services,
DMS Complex, Teynampet, Chennai.
- 3.The Academic Officer,
Tamilnadu Dr.M.G.R. Medical University,
No.69, Annasalai,
Guindy, Chennai.
- 4.The Controller of Examination,
O/o. Controller of Examinations,
Tamil Nadu Dr. M.G.R. Medical University,
No.69, Annasalai, Guindy, Chennai.
- 5.The Secretary,
Medical Council of India,
Pocket 14, Sector 8,
Dwarka, New Delhi.

... Respondents

*(R-5 is impleaded vide Court order dated 28.06.2022 in
WMP(MD).No.9258 of 2022 in WP(MD).No.947 of 2019)*



W.P.(MD).No.947 of 2019

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to permit the petitioner to undergone the six months or one year Refresher Course with salary on the category of service candidate and consequently that the respondents to extend the services of the petitioner for further five years after his retirement with consequential benefits within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For R-1 to R-4 : Mr.N.Satheesh Kumar
Additional Government Pleader

For R-5 : M/s.Subharanjani Ananth
Standing Counsel

ORDER

This Writ Petition is filed for Mandamus to direct the respondents to permit the petitioner to undergo the six months or one year Refresher Course with salary on the category of service candidate and consequently, to direct the respondents to extend the services of the petitioner for further five years after his retirement with consequential benefits within the time stipulated by this Court.

2. The petitioner was serving as a Senior Civil Surgeon at Srivilliputhur Government Hospital, Virudhunagar and he joined in the course of M.D.,



W.P.(MD).No.947 of 2019

General Medicine as a non-service candidate in the year 1997 and subsequently, he was appointed as a Professor at Salem Medical College. Since he has joined in the service, he was not able to continue his M.D. General Medicine course and prior to his retirement, he sent a representation to the respondents dated 29.05.2018 seeking 6 months to 1 year paid leave considering the service candidate to complete the MD course.

3. The petitioner in his representation has specifically stated that he was about to retire on 30.04.2019. Hence, prior to his retirement, he has approached the authorities for seeking permission to continue the status as a service candidate and the same has not been considered. Hence, he had come forward with a Writ of Mandamus and this Court, on 05.09.2023 has dismissed the Writ Petition on the ground that he has already attained superannuation. Hence, permitting him as a service candidate is not feasible. Subsequently, this order was recalled by this Court vide order dated 29.09.2023.

4. When the matter was listed on 03.07.2025, this Court has raised some specific queries for the purpose of accommodating the petitioner to continue the M.D. General Medicine course, which are as follows:

- (i) *When the petitioner joined PG Course?*
- (ii) *When the petitioner discontinued ?*



W.P.(MD).No.947 of 2019

- (iii) *Why the petitioner discontinued the PG Course?*
(iv) *In which institution such PG Course was pursued?*
(v) *What is the refresher course which the petitioner wants to undergo and which recognised institution offers the same?;*

5. When the matter was taken up for hearing today, i.e., 07.08.2025, the petitioner was not able to provide the above details. Considering the fact that the petitioner has not come forward to submit all those details, I am not inclined to continue the further proceedings and the Writ Petition petition stands dismissed. There shall be no order as to costs.

07.08.2025

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

To

- 1.The Director,
The State of Tamil Nadu,
Directorate of Medical Education,
Kilpauk, Chennai.
- 2.The Director,
Medical and Rural Health Services,
DMS Complex, Teynampet, Chennai.
- 3.The Academic Officer,
Tamilnadu Dr.M.G.R. Medical University,
No.69, Annasalai,
Guindy, Chennai.



W.P.(MD).No.947 of 2019

4.The Controller of Examination,
O/o. Controller of Examinations,
Tamil Nadu Dr. M.G.R. Medical University,
No.69, Annasalai, Guindy, Chennai.

5.The Secretary,
Medical Council of India,
Pocket 14, Sector 8,
Dwarka, New Delhi.



WEB COPY



W.P.(MD).No.947 of 2019

K.RAJASEKAR,J.

Lm

W.P.(MD).No.947 of 2019

07.08.2025