



W.P.(MD).No.31256 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.31256 of 2025

S.Saran Karthik

...Petitioner

-Vs-

1. The State of Tamil Nadu Represented by its Principal Secretary,
Health and Family Welfare Department
Secretariat
Chennai-9.

2. Directorate of Medical Education
Represented by the Director of Medical Education
Kilpauk, Chennai-10.

3. Directorate of Medical and Rural Health Services
Represented by the Director of Medical Health and Rural Health Services
No.359, Anna Salai
Chennai-6.

4. Directorate of Public Health and Preventive Medicine
Represented by the Director of Public Health and Preventive Medicine
No.359, Anna Salai
Chennai-6.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a WRIT OF MANDAMUS, directing the 2nd
respondent consider petitioners proforma application dated 25.10.2025 to
strictly adhere to the norms of completion of one year as a senior residency



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as stipulated by the National Medical Council for the purpose of transferring the in-service Post Graduate Doctors as an Assistant Professor inter directorate transfer counseling to be held on dated 04.11.2025 by the 2nd respondent Institutions and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For petitioner : Mr.P.Murugesan
For Respondent Nos.1,3,4 : M/s.N.Satheesh Kumar
Addl. Govt. Pleader
For Respondent No.2 : M/s.M.Sneha,
Special Standing Counsel

ORDER

This writ petition is filed seeking direction to the 2nd respondent to consider the petitioners proforma application dated 25.10.2025 to strictly adhere to the norms of completion of one year as a senior resident as stipulated by the National Medical Council for the purpose of transferring the in-service Post Graduate Doctors as an Assistant Professor inter directorate transfer counselling to be held on dated 04.11.2025 by the 2nd respondent Institutions



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2. The writ petition has been filed by the petitioner who is working as an Assistant Surgeon in the Government Primary Health Centre, Odaipatti, Theni District on 25.02.2025. His primordial contention is that in violation of National Medical Commission (NMC) guidelines, the post of Assistant Professors are sought to be filled up, also for a non-teaching consultant or specialist or Medical Officer, possessing post graduate medical degree with at least two years of experience in a Government Hospital as required under Table (E) in Sl.No.3.

3. However, the learned Special Standing Counsel appearing for the second respondent would contend that the National Medical Commission (NMC) guidelines are being strictly followed and also placed the manner in which the counselling is to be conducted. She further submits that the petitioner would also to be considered, if there are any vacancies available after filling up of the post by the steps indicated in the guidelines. For better appreciation, the relevant procedures contemplated by the first respondent are extracted hereunder :

"1. The Service PG's who have completed their courses to report to their parent unit / Directorate for postings.



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2. Intra Directorate Counselling to take place first

3. Thereafter with respect to Inter Directorate Transfer Counselling, those individuals who have completed one year of service either in Directorate of Public Health and Preventive Medicine, Chennai or Directorate of Medical & Rural Health Services, Chennai should be considered.

4. Thereafter, Inter Directorate Transfer Counselling to take place for those who have completed Post Graduation in October 2025.

5. After the above said counselling, if there are vacancies, which is essential for running of the Colleges or the Hospitals, 2025 MRB recruits can be considered for Inter Directorate Counselling."

And also categorically states that none of the NMC guidelines would be violated, which would be the petitioner's apprehension that the post would be filled up from the persons who are working in the Government Hospital either non-teaching consultant or specialists or medical officer who possess Post Graduate degree and who had not completed two years of experience in the Government Hospital would be considered for appointment as Assistant Professor.



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4. In view of the categorical undertaking given before this Court,

no further adjudication is required to be made in the present writ petition.

Accordingly, this writ petition stands closed, there shall be a direction to the respondents to strictly follow the guidelines notified by the National Medical Council (NMC) in its notification dated 30.06.2025 titled Medical Institutions (Qualification of Faculty) Regulations, 2025 in the matter of counselling.

04.11.2025

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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