



WEB COPY

WP No. 6392 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 6392 of 2026

AND

WMP NO. 6917 OF 2026

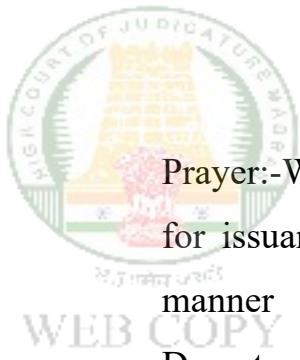
Dr.A.Sivagami, MD (Paediatrics)
Assistant Professor, Paediatrics,
Government Mohan Kumaramangalam,
Medical College and Hospital, Salem,
Residing at No.35, 5th Cross Street,
Mugil Nagar, Narasothipatti,
Salem-4

..Petitioner(s)

Vs

1. The state of Tamil Nadu
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Cehnnai-600 009
2. The Director
Directorate of Medical Education and Research,
Chennai-600 010
3. The Dean
Government Mohan Kumaramangalam,
Medical College and Hospital (GMKMCH)
Salem.

..Respondent(s)



Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus forbearing the respondents from in any manner displacing the petitioner from the post of Assistant Professor, Department of Paediatrics, Government Mohan Kumaramangalam Medical college and Hospital, Salem, petitioner been holding Civil Medical List (CML) seniority, considering the representation dated 07.02.2026, in light of the vacancy that has arisen consequent upon the acceptance of the Resignation of Dr.Nirmala by the Government on 06.02.2026 and further direct the respondents to consider the surrender of the said post of Dr.Nirmala, Assistant Professor, Paediatrics for the purpose of creation of a post of Assistant Professor, Neonatiligst in the Government Mohan Kumaramangalam Medical College and Hospital, Salem

For Petitioner(s): Mr.G.Sankaran, Senior Counsel for
Mr.Chozhan K

For Respondent(s): Mr.M.Bindran Agp For R1 To R3

ORDER

This Writ Petition has been filed for the following reliefs:-

“forbearing the respondents from in any manner displacing the petitioner from the post of Assistant Professor, Department of Paediatrics, Government Mohan Kumaramangalam Medical college and Hospital, Salem, petitioner been holding Civil Medical List (CML) seniority, considering the representation dated 07.02.2026, in light of the vacancy that has arisen consequent upon the acceptance of the Resignation of Dr.Nirmala by the Government on 06.02.2026 and further direct the respondents to consider the surrender of the said post of



Dr.Nirmala, Assistant Professor, Paediatrics for the purpose of creation of a post of Assistant Professor, neonatologist in the Government Mohan Kumaramangalam Medical College and Hospital, Salem.”

2. The petitioner's case is that she is serving as an Assistant Professor in the Department of Paediatrics at Government Mohan Kumaramangalam Medical College & Hospital, Salem, where she has been working for the past 10 months. The said Medical College and Hospital has a sanctioned strength of 17 Assistant Professors. On 06.02.2026, following the retirement of one Dr. M. Nirmala, a vacancy arose in the sanctioned strength.

3. While so, the respondents proposed to transfer the petitioner to another station. The petitioner's apprehension is that the respondents would proceed with the proposed transfer without considering her representation dated 07.02.2025, submitted to the 2nd respondent requesting that she be retained at GMKMCH, Salem and that her name not be considered for transfer at this stage taking into account her minor school-going children, the vacancy arising from the retirement of Dr. Nirmala, her family circumstances, her station seniority, her long years of service and the academic constraints faced by the institution. Hence, the present Writ Petition.



4. Heard the learned counsel on either side.

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5. Considering the fact that a vacancy has arisen at the Government Mohan Kumaramangalam Medical College & Hospital, Salem, following the retirement of one Dr. Nirmala and the petitioner is fully qualified for the same, the petitioner shall be accommodated in the said vacant position.

6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

09-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SHR
To

1. The state of Tamil Nadu
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai-600 009
2. The Director
Directorate of Medical Education and Research,
Chennai-600 010
3. The Dean
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