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WP No. 7728 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 7728 of 2026

and WMP Nos.8338 & 8340 of 2026

1. Dr. K. Poorana, MDS, (Periodontics)
D/o M. Kaliaperumal,
Assistant Resident Medical Officer
Rajiv Gandhi Government General Hospital
Chennai- 600003
2. Dr. D. Nivethitha Gangai, MDS
Oral Medicine and Radiology,
D/o K. Durai
Assistant Resident Medical Officer
National Center Ageing, Guindy,
Chennai 600 032.

..Petitioners

Vs

1. The Principal Secretary
Department of Health and Family Welfare,
Fort St. George, Chennai 600 009
2. The Director of Medical Education and Research
No 162, Periyar E.V.R. High Road,
Kilpauk,
Chennai - 600010

..Respondents



Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent herein so far as the seniority list for transfer counseling in the Department of Dental surgery dated 05.02.2026 is concerned with respect to the placement of the petitioners at seniority Nos 57 and 58 and quash the same and consequently direct the Respondents to place the Petitioners in accordance with their CML Seniority strictly in line with G.O.(2D). No.131 Health and Family Welfare (A1) Department dated 20.11.2007 accordingly permit them to take part in the transfer counseling and grant them with posting orders.

For Petitioners: Ms.Dakshayini Reddy, Senior Counsel

For M/s.S.Suneetha

For Respondents: Ms.M.Sneha for R1

Special Counsel

ORDER

This petition has been filed challenging the seniority list for transfer counseling in the Department of Dental Surgery dated 05.02.2026, insofar as it concerns the placement of the petitioners at seniority Nos. 57 and 58, and seeks to quash the same and further pray for a consequential direction to the Respondents to place them in accordance with their CML seniority, strictly in line with G.O.(2D) No.131, Health and Family Welfare (A1) Department, dated 20.11.2007, and accordingly permit them to take part in the transfer counseling and issue posting orders.



2. The case of the petitioners is as follows:

The 1st petitioner joined as Assistant Surgeon through the Tamil Nadu Public Service Commission in 2009 and was initially posted to Cuddalore District. She was later transferred to Mayiladuthurai District in 2013. In 2015, she secured admission into the Post Graduate Course in Periodontics at the Government Dental College, Chennai, and completed the course in 2018. Upon completion, she was posted to Valangaiman Government Hospital and College in Thiruvavarur District. In 2020, she was appointed as Senior Resident at Thiruvavarur Medical College and was re-designated as Assistant Professor in 2021. Through counselling in 2023, she was posted to the Government Dental College, Chennai. However, since there was no vacancy at that time, she was accommodated as Assistant Resident Medical Officer at Rajiv Gandhi Medical College, where she continues to serve.

2.01. The 2nd petitioner was appointed through the Tamil Nadu Public Service Commission in 2009 and initially worked at Thiruttani Government Hospital. She was subsequently transferred to Tondiarpet Peripheral Hospital, where she served from 2010 to 2016. From 2016 to 2019, she pursued her Post Graduate studies in Oral Medicine and Radiology at the Government Dental College, Chennai. After completion, she was posted to Palacode Government Hospital, Dharmapuri, from 2019 to 2022. She was later transferred to Cheyyar General Hospital and subsequently to Thanjavur Medical College. While



working at Thanjavur Medical College, she was diagnosed with breast cancer and, for treatment purposes, was accommodated as Assistant Resident Medical Officer at the National Centre for Ageing, Guindy.

2.02. The grievance of the petitioners is that they are presently working in posts unrelated to their specialty in Dentistry, though they wish to serve at the Government Dental College, Chennai, or any other Dental College within Chennai. Clause 10.7 of G.O.(2D) No.131 dated 20.11.2007 specifies that, for transfer counselling within Chennai city limits, CML seniority shall be the relevant criterion, not station seniority. The 1st petitioner's CML seniority is 209, and the 2nd petitioner's is 237. During the transfer counselling held in 2025, they were correctly placed at Rank Nos. 4 and 5 based on their CML seniority. However, as there were no vacancies at Chennai Dental College or other institutions within Chennai city limits, they could not exercise their option. For the 2026 transfer counselling, a seniority list was published on 05.02.2026. To their shock, the petitioners were placed at the bottom of the list at Rank Nos. 57 and 58, even below doctors who had entered service as late as 22.09.2025. Aggrieved by this, the petitioners have filed the present writ petition challenging the impugned transfer counselling seniority list.

3. However, the learned Senior Counsel appearing for the petitioners submitted that this Court may issue a direction to the respondents to follow the



procedure contemplated under G.O.(2D) No.131 dated 20.11.2007 with regard to transfer counselling to be conducted by the respondents.

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4. The learned Special Counsel appearing for the Department of Health and Family Welfare submitted that the procedure contemplated under G.O.(2D) No.131 dated 20.11.2007 will be followed and appropriate orders will be passed, if the petitioners participate in the transfer counselling.

5. Recording the submissions of the learned Senior Counsel appearing for the petitioners and the learned Special Counsel appearing for the respondents, this writ petition is disposed of with a direction to the respondents to strictly adopt the procedure contemplated under G.O.(2D) No.131 dated 20.11.2007 in respect of transfer counselling. No costs. Consequently, connected miscellaneous petitions are closed.

25-02-2026

Index: Yes/No

(2/2)

Speaking/Non-speaking order

Neutral Citation: Yes/No

UMA



To

1. The Principal Secretary
Department of Health and Family Welfare,
Fort St. George, Chennai 600 009
2. The Director of Medical Education and Research
No 162, Periyar E.V.R. High Road,
Kilpauk,
Chennai - 600010



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M.DHANDAPANI, J.

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WMP Nos.8838 & 8340 of 2026
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