



WEB COPY



WA No. 310 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WA No. 310 of 2026 AND

CMP NO. 2798 OF 2026

1. The State of Tamil Nadu
Rep by its Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai -600 009.
2. The Director of Medical Education,
Kilpauk,
Chennai -600 010.
3. The Dean,
Kanyakumari Government Medical College,
Asaripallam,
Kanyakumari 629 201.

..Appellants

Vs

1. J A Jayalal,
Professor and HOD of General Surgery,
Department of General Surgery,
Kanyakumari Government Medical College,
Asaripallam, Kanyakumari 629 201.
2. G Sivasankar
Director and Professor of Urology,
Madras Medical College, Chennai.
3. M Bhavani
Medical Superintendent / Professor,
Rajiv Gandhi Government General Hospital,
Chennai.



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4. T Ravikumar
Medical Superintendent / Professor,
Government Medical College and
Employees State Insurance Corporation
(ESIC) Hospital, Coimbatore.
5. V Ramalakshmi
Professor of Ophthalmology,
Government Tirunelveli Medical College,
Tirunelveli.
6. S Kumaravel
Professor or Orthopaedics,
Government Thanjavur Medical College,
Thanjavur.
7. L. Arul Sundaresk Kumar
Professor of ENT
Government Madurai Medical College,
Madurai.
8. R. Amutha Rani
Professor of Anaesthesia,
Government Tirunelveli Medical College,
Tirunelveli.
9. P. Leo David
Vice Principal/Professor,
Kanyakumari Government Medical College,
Asaripallam
10. J. Devi Meenal
Professor of Radio Diagnosis,
Government Kilpauk Medical College,
Chennai.
11. S. Kalaivani
Director and Professor of Dermato,
Venereo and Leprosy,
Madras Medical College,
Chennai.



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12. S. Muthuchitra
Professor of ENT,
Government Kilpauk Medical College,
Chennai
13. V. Lokanayaki
Professor of Anatomy,
Government Kilpauk Medical College,
Chennai.
14. T. Jeyasingh
Professor of Forensic Medicine,
Government Coimbatore Medical College,
Coimbatore
15. M. Rohinidevi
Professor of Anatomy Medicine,
Government Coimbatore Medical College,
Coimbatore.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order of this Honble Court Dated 26.02.2025 passed in the said W.P.No.31048 of 2024.

For Appellants : Ms.M.Sneha
Special Counsel for Health and Family Welfare
Department

For Respondents : Mr.Godson Swaminath
for M/s.ISSAC CHAMBERS – for R1
RR2 to 15 given up vide Memo SR.1706



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JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra court appeal has been filed by the State and the Director of Medical Education against the order passed by the Writ Court dated 26.02.2025 made in W.P.No.31048 of 2024. In fact, the impugned order passed by the writ court is a common order passed in number of writ petitions including W.P.No.31048 of 2024.

2. The main issue of controversy that was resolved by the Writ Court is the promotions earned by 14 professors of medicine under various disciplines to the post of Dean of various Government run medical colleges in the State by issuance of G.O.(D) No.1044 dated 03.10.2024 of the Health and Family Welfare Department. After long discussion and reasoning, the writ Court by the impugned order dated 26.02.2025 had set aside G.O.(D) No.1044 dated 03.10.2024 and consequently gave a direction to the appellants herein who are the respondents in the writ petition to give promotion to the writ petitioners therein to the post of Dean in the Government Medical Colleges by placing them at the appropriate position in the panel fit for promotion for the year 2024-25 as per their respective seniority in the CML within a period of four weeks from the date of receipt of a copy of the order.



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3. As against the said order though appeal had not been filed so far by the Government, private parties have filed writ appeals in W.A.Nos.924, 1246 and 1258 of 2025. Those writ appeals came to be dismissed by a Division Bench of this Court by judgment dated 04.07.2025. By thus, the order passed by the Writ Court dated 26.02.2025 is upheld.

4. The very same order passed by the Writ Court dated 26.02.2025 has now been chosen to be challenged in the present intra court appeal at the instance of the State and the Health and Family Welfare Department, Government of Tamil Nadu.

5. Heard Ms.M,Sneha, learned Special Counsel appearing for the appellant Department.

6. Once the order impugned has already been tested before this Court by way of writ appeals before a Division Bench, where those appeals have already been considered and decided by dismissing those appeals, the order impugned herein since has been upheld by the order of another Division Bench, nothing survives in the instant writ appeal to re-agitate the issue once again.



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7. In that view of the matter, we have no hesitation to hold that it is a vain attempt made by the State Government and therefore the appeal is liable to be dismissed. Accordingly it is dismissed. No costs. Consequently, connected miscellaneous petition is closed. However, the dismissal of this writ appeal will not preclude the appellant herein to pursue its other legal remedies in the manner known to law.

(R.S.K.,J.) (S.S.A.,J.)
05-02-2026

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

KST



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