

**PROCEEDINGS OF THE DIRECTOR OF MEDICAL AND RURAL
HEALTH SERVICES i/c, CHENNAI-6.
PRESENT: DR. G.MOHANAN,M.D(PAED),.**

Ref.No.47575/E6/3/2013

Dated:27.06.2019

Sub: Tamil Nadu Medical Service – Revision of CML Seniority for the Medical Officers who were selected prior to 1995 TNPSC Selection and joined belatedly six months from their appointment by implementing Rule 4(e) of General Rules for Tamil Nadu State and Subordinate Services, now section 7(5) of Tamil Nadu Government Servants (conditions of service) Act, 2016 as per various Court directions – Reg.

- Ref:**
- 1) Letter Ref.No.117544/E5/A2/2010, dated.10.12.2010 of the Director of Public Health and Preventive Medicine, Chennai
 - 2) Government Letter No.4672/B1/2015-1, Health and Family Welfare Department, dated.28.07.2015
 - 3) Hon'ble High Court of Madras order dated.27.10.2017 in W.P.No.27551 of 2017 filed by Dr.L.Shanmughavadiyu
 - 4) Hon'ble High Court of Madras order dated.13.12.2017 in W.P.No.32436 and 32437 of 2017 filed by Dr.T.Jeyasingh and Dr.M.Rohinidevi
 - 5) Hon'ble Madurai Bench of Madras High Court order dated.28.02.2018 in W.P(MD).No.3741 of 2018 filed by Dr.T.Gnanasekaran
 - 6) Hon'ble Madurai Bench of Madras High Court order dated.28.02.2018 in W.P(MD).No.4204 of 2018 filed by Dr.S.S.Gayathri
 - 7) Hon'ble Madurai Bench of Madras High Court order dated.28.02.2018 in W.P(MD).No.4205 of 2018 filed by Dr.M.Sudha
 - 8) Pro.ref.No.47575/E6/3/2013, dated 27.06.2018 of the DM&RHS, Chennai.

ORDER:

Civil Medical List 2018 has been published by implementing Rule 4(e) of General Rules for Tamil Nadu State and Subordinate Services, now section 7(5) of Tamil Nadu Government Servants (Conditions of Service) Act, 2016 to the Medical Officers appointed from 1995 TNPSC selection to TNPSC Special Qualifying Examination 2009 vide proceedings reference 8th cited duly mentioning that the revision of CML prior to 1995 batches for the Medical Officers who have joined belatedly beyond six months is under process.

2. After publication of CML 2018 so many representations have been received from the Medical Officers who were selected prior to TNPSC 1995 batch and have joined within stipulated time, requesting implementation of Rule 4(e) of Tamil Nadu State and Subordinate Service Rules to the Medical Officers selected prior to 1995 TNPSC and have joined belatedly beyond six months.

3. CM Cell Petitions, RTI Petitions have also been received in this regard.

4. Many writ petitions have also been filed by the Medical Officers before the Hon'ble Madras High Court and its Madurai Bench with a prayer to quash the reference 8th cited and some Writ Petitions have been filed in favour of above proceedings as follows:-

PENDING BEFORE THE HONOURABLE HIGH COURT OF MADRAS				
Sl.No.	Name of the Petitioner	Writ Petition	Speciality	Remarks
1	Dr.E.Suganya	W.P.No.12734/2018 WMP.No.14922 of 2018 WMP.No.24663 of 2018	O&G	To implement Rule 4(e)
2	Dr.L.Shanmugavadivu	W.P.No.12996/2018 WMP.No.15263 of 2018 WMP.No.16738/2018	O&G	To implement Rule 4(e)
3	Dr.Jayaprakash Narayan	W.P.No.24404 of 2018	Urology	To implement Rule 4(e) .
4	1) Dr.R.Veerapandian, 2) Dr.M.Ramesh and 3) Dr.S.Amutha	W.P.No.7540 of 2018 WMP.No.9529 and 9530 of 2018	1) Neurosurgery 2) Gastroenterology 3) Leprosy	Against implementation of Rule 4(e)
5	Dr.P.S.Balakumar	W.P.No.23084/2018 WMP.No.26970 of 2018 WMP.No.26971 of 2018	Vascular Surgery	Against implementation of Rule 4(e)
6	1) Dr.P.M.Raja 2) Dr.M.Natesan 3) Dr.M.Kalyanasundaram 4) Dr.R.Thamizhkothai 5) Dr.Sivaramkannan	W.P.No.24214 of 2018	1) General Surgery 2) General Surgery 3) Anaesthesia 4) O&G 5) General Medicine	Against implementation of Rule 4(e)
7	Dr.E.Suganya	W.P.No.34090/2018	O&G	-To implement Rule 4(e)

PENDING BEFORE THE HONOURABLE MADURAI BENCH OF MADRAS HIGH COURT

1	Dr.R.Veerapandian	W.P(MD).No.16747/ 2018 WMP(MD)No.14801 of 2018	Neurosurgery	Not to implement Rule 4(e) Case Pending.
2	Dr.M.Ramesh	W.P(MD).No.16851/2018 WMP(MD)No.14882/2018	Gastroenterology	Not to implement Rule 4(e) Case Pending.
3	Dr.G.Chengalvarayan	W.P(MD).No.16852/2018 WMP(MD)No.14884/2018	Urology	Not to implement Rule 4(e) Case Pending.
4	Dr.N.Thanappan	W.P.(MD)No.16853/2018 WMP(MD)No.14886/2018	Orthopaedics	Not to implement Rule 4(e) Case Pending.
5	Dr.Alagavenkatesan	W.P(MD).No.18600/2018	General Medicine	Not to implement Rule 4(e) Case Pending.
6	Dr.S.Sivaramkannan	W.P(MD)No.22091 of 2018	General Medicine	Not to implement Rule 4(e) Case Pending.
7	Dr. S.Mangayarkarasi	W.P.(MD) No: 25412 / 2018	Urology	Not to implement Rule 4(e) Case Pending.
8	DR.Mariya Louis Peggy Gomez	WP(MD) No :3224/2019	DMS side before 1995	To implement Rule 4(e) Case Pending.
9	DR.G.Chengalvarayan	WP(MD) NO: 4506/2019	Urology	Not to implement Rule 4(e) Case Pending.
10	DR.A.D. Sampath kumar	WP(MD) NO: 4507/2019	Orthopaedics	Not to implement Rule 4(e) Case Pending.

11	DR.Rajesh & DR.P.Jeya shankar	WP(MD) NO: 4508/2019	urology/cardiolog y	Not to implement Rule 4(e) Case Pending.
12	DR.P.M Raja, DR.M.Natesan ,DR.M.Kalyana sundaram ,DR.R.Thamil kothai ,	WP(MD) NO: 4609/2019	Anesthesiology/ O&G	Not to implement Rule 4(e) Case Pending.
13	DR.Veerapandian	WP(MD) NO: 5012/2019	Neurosurgery	Not to implement Rule 4(e) Case Pending.

5. A Writ Petition has also been filed by a Medical Officer before the Madurai Bench of Madras High Court who was selected prior to 1995 TNPSC Selection and joined with in stipulated time with a prayer to implement Rule 4(e) to the Medical Officers prior to 1995 TNPSC Selection and have joined belatedly beyond 6 months 1995 calling for the records of the impugned order passed by the 2nd respondent in the panel of Joint Director of Health Services for the year 2018-2019 in ref.No.28212/E6/1/2018, dated 29.10.2018 and quash the same as illegal and consequently direct the official respondents to re-fix the seniority of the petitioner in appropriate place in the panel for the prior of Joint Director of Health Services for the year 2018-2019.

6. In compliance to the directions passed by the Hon.ble Court, based on the service particulars/Selection list / Details furnished by the TNPSC and the particulars available in the Directorate, which particulars, in so far as the candidates, stand uncontroverted / undisputed, the Revision of the CML seniority to the Medical Officers at the entry level prior to the year 1995 is being done in this proceedings. The Director of Medical and Rural Health Services in the Proceedings in Ref.,No.8th cited hereinabove had reworked the seniority list in so far as candidates who had joined subsequent to the year 1995.

Part:-1: Entry level seniority of Medical Officers appointed from TNPSC 1984 -1986 selection to special recruitment TNPSC 1994 by implementing Rule 4(e) of General Rules for Tamil Nadu State and Subordinate Services, now section 7(5) of Tamil Nadu Government Servants (conditions of service) Act, 2016

Part:-1A List of Medical Officers whose date of Joining is not known for whom seniority number has not been given

Part:-2 List of Medical Officers who were Retired / Removed as on 31.03.2019

The above CML Seniority come into effect from 27.06.2018, the date on which the proceedings 8th cited was approved. The outcome of Writ Petitions pending before the Hon'ble High Court of Madras and its Madurai Bench is applicable to the Medical Officers selected prior to 1995 TNPSC batch also.

The Seniority of the above Medical Officers will be uploaded in the website. "tnhealth.org" shortly.

The officers noted in the dispatch entry and requested to display a copy of the above proceedings in the Notice Board and to circulate the seniority list to the Medical Officers working under their administrative control and get their dated acknowledgement and ensure that the seniority list has been circulated to all Medical Officers. They are further requested to forward the representations from the Medical Officers incase of any discrepancy found in Column 1-18 in the seniority list with the relevant proof of records, through the proper channel to this Directorate on or before 31.08.2019.

The representation received after 31.08.2019 will not be entertained.

Receipt of the above Proceedings should be acknowledged at once.

Note:- The CML No. assigned to the Medical Officers from TNPSC 1984-86 to TNPSC 1991-92 Reserve List who have joined belatedly beyond six months from the date of their appointment vide this office reference 8th cited is hereby cancelled.

G. Mohanan
Director of Medical and Rural Health Services (i/c)

To
The Director of Medical Education, Chennai-10
The Director of Public Health and Preventive Medicine, Chennai-6

Copy to:
The Director of Medical and Rural Health Services(ESI), Chennai
The Director of Family Welfare, Chennai-6
The Additional Chief Secretary / Commissioner of Indian Medicine and Homoeopathy, Chennai-106

Copy to:
1. All the Joint Director of Health Services in the state.
2. All the Deputy Director of Health Services in the state.

3. The Regional Administrative Medical Officers (ESI), Coimbatore /Madurai / Salem /Chennai
4. The Superintendent, ESI Hospitals, Ayanavaram, Chennai -23, Trichy, Salem, Coimbatore, Madurai, Vellore, Sivakasi and Hosur
5. The Medical Officer, Government Leprosy Rehabilitation Promotion Unit, Tambaram, Chennai – 47
6. The Dean, Government General Hospital, Chennai-3
7. The Dean, Madras Medical College, Chennai
8. The Dean, Stanley Medical College, Chennai – 1
9. The Dean, Stanley Medical College Hospital, Chennai – 1
10. The Dean, Kilpauk Medical College, Chennai - 10
11. The Dean, Kilpauk Medical College Hospital, Chennai - 10
12. The Dean, Thanjavur Medical College, Thanjavur/ Thanjavur Medical College Hospital, Thanjavur
13. The Dean, Raja Mirasudar Hospital, Thanjavur
14. The Dean, Chengalpattu Medical College, Chengalpattu / Chengalpattu Medical College Hospital, Chengalpattu
15. The Dean, Madurai Medical College, Madurai
16. The Dean, Govt Rajaji Hospital, Madurai
17. The Dean, Tirunelveli Medical College, Tirunelveli / Tirunelveli Medical College Hospital, Tirunelveli
18. The Dean, Coimbatore Medical College, Coimbatore / Coimbatore Medical College Hospital, Coimbatore
19. The Dean, Dharmapuri Medical College, Dharmapuri
20. The Dean, Government Mohan Kumaramangalam Medical College/ College Hospital, Salem
21. The Dean, Thoothukudi Medical College, Thoothukudi / Thoothukudi Medical College Hospital, Thoothukudi
22. The Dean, Theni Medical College, Theni
23. The Principal, TamilNadu Government Dental College and Hospital, Chennai
24. The Dean, Kanyakumari Medical College and Hospital, Nagercoil, Kanyakumari District
25. The Dean, Kanyakumari Medical College and Hospital for Thoracic Medicine, Asaripallam, Kanyakumari Dist
26. The Dean, KAPV Medical College, Trichy.
27. The Director and Superintendent, Government Institute of Obstetrics and Gynaecology and Hospital for Women and Children, Chennai-8
28. The Director and Superintendent, Institute of Ophthalmology and Government Ophthalmic Hospital, Chennai-8.
29. The Director & Superintendent, Institute of Child Health and Hospital for Children, Chennai – 8
30. The Superintendent, Government Royapettah Hospital, Chennai – 14
31. The Principal, Government College of Physiotherapy, Trichy.
32. The Director, Institute of Social Obstetrics and Government Kasturba Gandhi Hospital for Women and Children, Chennai – 5
33. The Superintendent, R.S.R.M.Lying in Hospital, Chennai-13

34. The Superintendent, Government Hospital for TB and Chest Diseases, Otteri and Tambaram, Chennai
35. The Director, Arignar Anna Memorial Cancer Hospital, Kancheepuram
36. The Director, Arignar Anna Memorial Cancer Institute, Karapettai, Kancheepuram
37. The Dean, Annal Gandhi Memorial Government Hospital, Trichy.
38. The Dean, Government Pudukottai Medical College, Pudukottai
39. The Dean, Government Vellore Medical College Hospital, Vellore
40. The Dean, Sivagangai Medical College & Hospital, Sivaganga
41. The Dean, Tiruvannamalai Medical College & Hospital, Tiruvannamalai
42. The Dean, Villupuram Medical College & Hospital, Villupuram
43. The Dean, Thiruvavarur Medical College & Hospital, Thiruvavarur
44. The Dean, Tamil Nadu Government Multi Super Speciality Hospital, Omandurar Government Estate, Chennai
45. The Dean, Government ESI Medical College, Coimbatore
46. The Special Officer cum Dean, Government Medical College, Karur
47. The Superintendent, Government Peripheral Hospital, Anna Nagar, K.K.Nagar, Tondiarpet, and Periyar Nagar
48. The Director and Superintendent, Institute of Mental Health, Chennai - 10
49. The Director, Institute of Rehabilitation and Artificial Limb Centre, K.K.Nagar, Chennai-83
50. The Director, King Institute of Preventive Medicine, Guindy, Chennai-3

Copy to: E1 / E3 / E4 sections of this Directorate

Copy to: E6(1) and E6(4) seats of this Directorate

Copy submitted to:

The Principal Secretary to Government,
Health and Family Welfare Department,
Chennai-9

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Administrative Officer
27/6/19
27/6/19