

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29506 of 2015

Mohanasundaram.S

... Petitioner

Vs.

- 1 The Principal Secretary
Government of Tamil Nadu Public Health and
preventive Medicine Chennai- 9
- 2 The Director of Public
Health Preventive Medicine Chennai - 6
- 3 The Deputy Director of
Health Services B Block Collectorate
Vellore - 632 009.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to include the petitioners non Provincialised service rendered from 14.10.1977 to 16.12.1998 for calculation of the service benefits in accordance with G.O.Ms.No.676 Public Health Department vide R.No. 51516/VCI/87/C3 dated 16.12.1998 and to dispose of the representation on 21/11/14 made by the Petitioner within a stipulated time.

For Petitioners : Ms.Swapna

For Respondents : Mr.V.Subbiah

Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he was appointed as Part Time Helper in Government Primary Health Center at Kaniyambadi, Vellore District on 02.07.1969 and he was shifted to Odagathur Primary Health Center, Vellore with a consolidated pay of Rs.50/- per month from that date. The services of the petitioner and other persons similarly placed were regularised on 14.10.1977 by the second respondent and the petitioner on reaching the age of superannuation

has retired from service on 30.06.2012 and he was also sanctioned pension during July, 2012. The grievance now expressed by the petitioner is that the services rendered by him between 14.10.1977 and 16.12.1998 was not included for calculation of the service benefits and the same is in violation of G.O.Ms.No.676, Public Health and Family Welfare Department, dated 16.12.1998 and in this regard, submitted representation dated 03.04.2013 and 21.11.2014 to the second respondent and since no response is forthcoming, came forward to file this writ petition.

3.Heard the submissions of Ms.Swapna, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representations dated 03.04.2013 and 21.11.2014 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Principal Secretary
Government of Tamil Nadu Public Health and
preventive Medicine Chennai- 9
- 2 The Director of Public
Health Preventive Medicine Chennai - 6
- 3 The Deputy Director of
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Vellore - 632 009.

+1 cc to Government Pleader sr.51528

+1 cc to M/S.A.Anushya Advocate sr.51037

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aa1/10/2015