

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36521 of 2015

Dr.T.Thirugnanam

..

Petitioner

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai 600 009.

2. The Director,
Medical and Rural Health Services,
Chennai 6.

3. The Deputy Director of
Health Services,
Villupuram.

..

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to give time bound promotion to the petitioner as Chief Civil Surgeon by sanctioning pay Band - IV Rs.37,400 - 67000 + Grade Pay of Rs.8700/- in the light of G.O.Ms.No.245, Health and Family Welfare (A2) Department, dated 30.10.2013, with effect from date of his attainment of eligibility i.e. 07.07.2014 and to pay all arrears of his monetary benefit pursuant to the above said promotion with all attended benefits as of now, by considering his representation dated 02.09.2015 to the respondents 1 and 2, within a reasonable time.

For Petitioner : Mr.R.Neelakandan

For Respondents: M/s.M.E.Raniselvam
Additional Government Pleader

ORDER

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

2. According to the petitioner, he joined in service as Assistant Surgeon under the control of the third respondent on 01.06.1989 and he has completed the probation period on 31.05.1991. As per G.O.(Ms) No.245, Health and Family Welfare (A2) Department dated 30.10.2013, the Assistant Surgeons working in the Tamil Nadu Medical Service of all the Directorates shall be given time bound promotion. Since the petitioner had already completed 20 years of service on 07.07.2014, he is eligible to be promoted as Chief Civil Surgeon in the pay band - IV Rs.37400 - 67000 + Grade Pay of Rs.8700/-. Since the said benefit was not extended to the petitioner, he made a representation dated 02.09.2015, which is not yet disposed of and hence, the present writ petition.

3. Heard the submission of Mr.R.Neelakandan, learned counsel appearing for the petitioner and Mrs.Raniselvam, learned counsel appearing for the respondents.

4. The learned counsel for the petitioner has submitted that in similar circumstances, this Court in W.P.No.13867 of 2015 dated 20.07.2015 issued direction to extend the benefits to the petitioner therein.

5. Though the petitioner prayed for a larger relief, this Court considering the facts and without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 02.09.2015 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken by him, to the petitioner.

6. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

cla

To

1. The Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai 600 009.

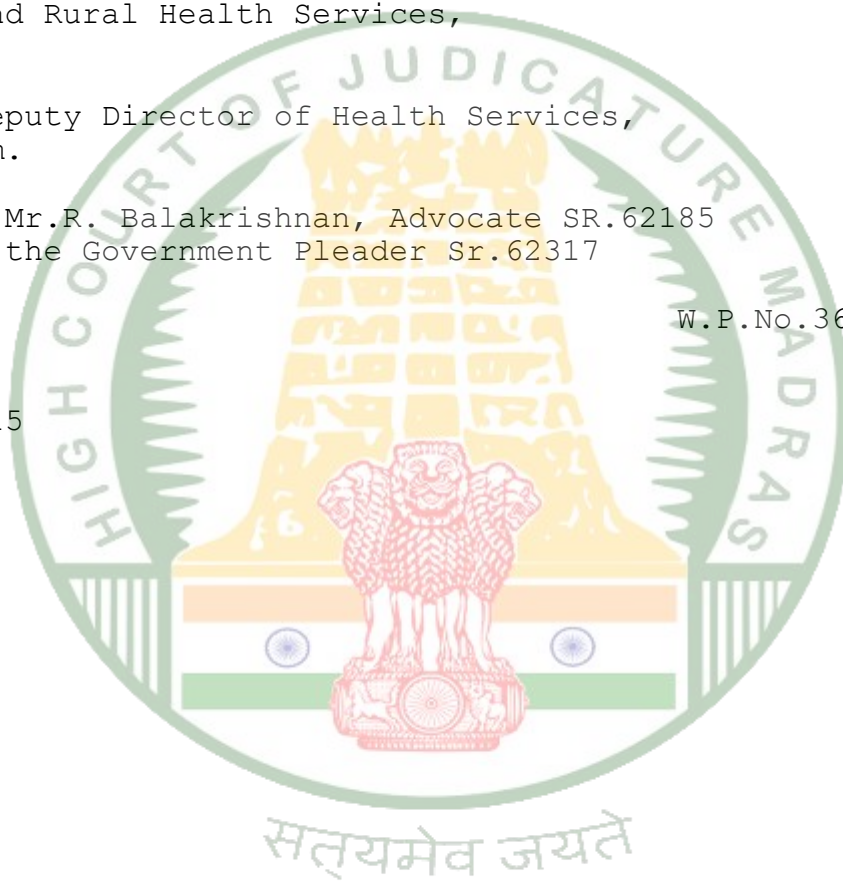
2. The Director,
Medical and Rural Health Services,
Chennai 6.

3. The Deputy Director of Health Services,
Villupuram.

+ 1 cc to Mr.R. Balakrishnan, Advocate SR.62185
+ 1 cc to the Government Pleader Sr.62317

W.P.No.36521 of 2015

KK(CO)
Eu 15.12.15



WEB COPY