



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.12.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA
W.P (MD) No.22976 of 2016

and

W.M.P (MD) No.16457 of 2016

G.Paramasivan

: Petitioner

Vs.

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

2.The Director of Public Health and Preventive Medicine,
DMS Complex, 359,
Anna Salai, Chennai.

3.The Additional Director (Leprosy),
DMS Complex, 359,
Anna Salai, Chennai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the second respondent from sending the Non-Medical Supervisors for Non-Medical Supervisor Training without preparing the seniority in the cadre of Non-Medical Supervisor within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the second respondent from sending the Non-Medical Supervisors for Non-Medical Supervisor Training without preparing the seniority in the cadre of Non-Medical Supervisor.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. The case of the petitioner is that the petitioner was appointed as Leprosy Inspector on 10.03.1988 and presently he is serving as Non Medical Supervisor at Government Primary Health Centre, Muthanendal, Sivagangai District. His next promotion is to the post of Health Educator.

3.1.The claim of the petitioner is that before sending the Non-Medical Supervisors for Non-Medical Supervisor Training, the



seniority in the cadre of Non-Medical Supervisor, should be fixed, as it is considered as post promotional Training.

3.2. So claiming, the petitioner has submitted a representation dated 07.08.2016. As the same has not been considered, this writ petition has been filed.

4. Though the prayer in the writ petition is widely worded, now the learned counsel for the petitioner has restricted his claim to the extent of seeking direction to the respondents 3 and 4 to consider the representation of the petitioner dated 07.08.2016.

5. The learned Additional Government Pleader appearing for the respondents would submit that it is agreeable for the respondents 2 and 3 to consider the representation of the petitioner and to pass appropriate orders within a period of eight weeks.

6. Recording the submission made by the learned Additional Government Pleader appearing for the respondents, the respondents 2 and 3 are directed to consider the representation of the petitioner dated 07.08.2016 and to 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.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

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

2. The Director of Public Health and Preventive Medicine,
DMS Complex, 359, Anna Salai, Chennai.

3. The Additional Director (Leprosy),
DMS Complex, 359, Anna Salai, Chennai.

+1CC to M/S. T. Lajapathi Roy, Advocate, SR.No. 78450

ORDER MADE IN
W.P (MD) No. 22976 of 2016
and
W.M.P (MD) No. 16457 of 2016
01.12.2016