

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3233 of 2017

C.Sankaranarayanan

..Petitioner

Vs

1. The Director,  
General Health and Preventive Medicine,  
Teynampet,  
Chennai - 600 006.
2. The Deputy Director,  
Health Services,  
Nagapattinam District.
3. The Block Medical Officer,  
Government Primary Health Centre,  
Akkur,  
Nagapattinam District.
4. The Medical Officer,  
Government Primary Health Centre,  
Ayyangudi,  
Cuddalore Health Unit,  
Cuddalore District

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st respondent to pass order on the representation dated 04.04.2016 requesting to sanction salary on regularizing the service and to permit the petitioner to join duty and allow him to continue to serve.

For Petitioner : Mr.T.Aananthi

For Respondents : Mr.P.Chinnadurai,  
Government Advocate.

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Chinnadurai, learned Government Advocate accepts notice on behalf of the respondents.

2. The petitioner was appointed as a Junior Assistant on 23.12.1998 and posted at the office of the Deputy Director of Health Services, Thanjavur, and he was transferred to the post of 2nd respondent on 07.10.2013 and posted on deputation at the office of 3rd respondent as per the orders of the 2nd respondent and continued to function till February 2015. The petitioner would further aver that on account of family circumstances, on the demise of his father on 23.06.2014, he fell sick and could not attend office between July 2014 to November 2014 and further returned for duty during December 2014.

3. The grievance expressed by the petitioner is that he has not been paid the salary from July 2014 to February 2015 and in the interregnum, he was transferred to the office of the 4th respondent by the order of the 1st respondent dated 04.09.2014. The petitioner, in this regard, has also submitted representations dated 09.02.2015 and 04.04.2016 to the respondents through proper channel. Since no orders have been passed, he came forward to file this writ petition.

4. Learned counsel for the petitioner would submit that since his absence has been condoned and he has also joined, there cannot be any impediment on the part of the respondents to pay the salary for the period between July 2014 and February 2015 and prays for appropriate orders.

5. Per contra Mr.P.Chinnadurai, learned Government Advocate would submit that admittedly, the petitioner did not submit any application for the period of his absence between July 2014 and November 2014. He would further submit that after looking into the records, appropriate orders will be passed by the first respondent.

6. This Court heard the rival submissions and perused the typed set of papers.

7. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances, directs the respondents 1 to 3 to consider and dispose of the petitioner's representations dated 09.02.2015 and 04.04.2016 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. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II )

/true copy/

Sub Asst. Registrar

To

1.The Director,  
General Health and Preventive Medicine,  
Teynampet, Chennai - 600 006.

2.The Deputy Director,  
Health Services,  
Nagapattinam District.

3.The Block Medical Officer,  
Government Primary Health Centre,  
Akkur, Nagapattinam District.

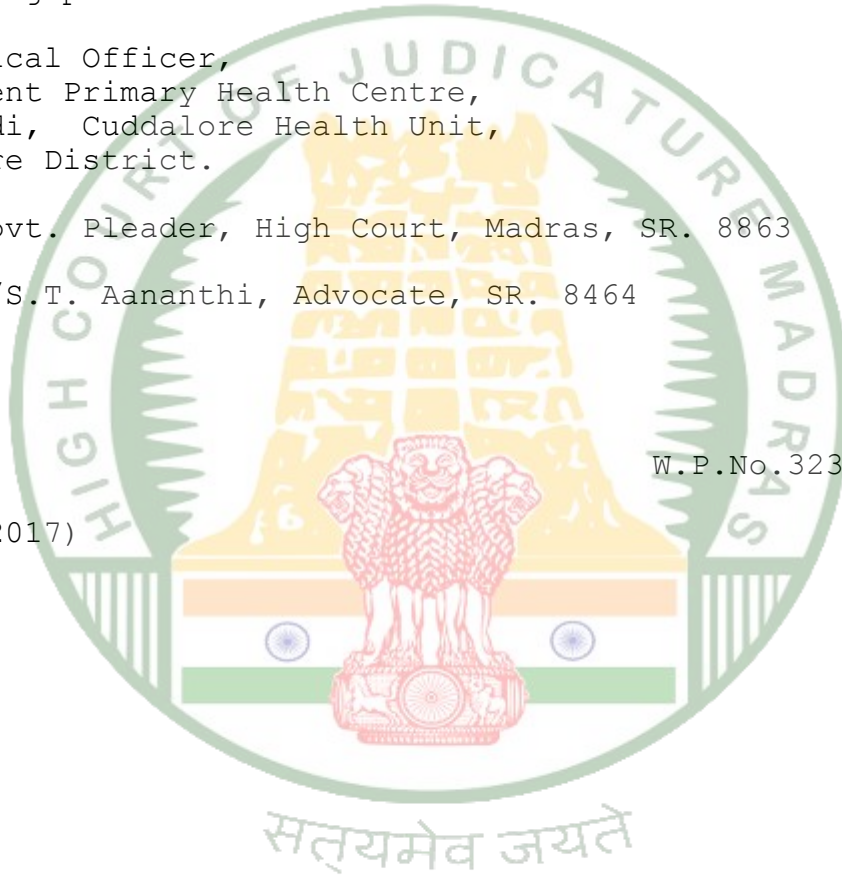
4.The Medical Officer,  
Government Primary Health Centre,  
Ayyangudi, Cuddalore Health Unit,  
Cuddalore District.

+1cc to Govt. Pleader, High Court, Madras, SR. 8863

+1cc to M/S.T. Aananthi, Advocate, SR. 8464

NRI (CO)  
VR(23/02/2017)

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