

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.1600/2017

K.Loganathan

..Petitioner

Vs

1. Government of Tamil Nadu,
Rep by its secretayt to Governnment,
Health & Family Welfare Department
Fort St. George, Chennai-9.

2.The Director of Medical Education,
162, EVR Periyar Salai, Kilpauk,
Chennai 600 010.

3.The Dean
Madras Medical College
Chennai-3.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 3rd respondent to consider and pass orders on the petitioner's representation dated 18.09.2015 within a reasonable time frame as fixed by this Court.

For Petitioner : Mr.K.S.Karthik Raja

For RR 1 to 3 : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner initially joined as a Scientific Assistant in a temporary capacity and later on, his services were regularised with effect from 14.04.2008 and got his re-designation as Scientific Officer and started working in the Government Kilpauk Medical College Hospital, Chennai. The petitioner would further aver that during the course of his employment, he had exposed very many illegal activities

committed by the authorities and therefore, he was targeted by the higher authorities which was ultimately resulted in non-payment of Postmortem Allowance of the petitioner. In this regard, the petitioner has also submitted detailed representations dated 14.09.2012 ; 09.03.2015 and 18.09.2015 respectively and the stand taken by the respondents appear to be that such a kind of allowance can be paid only if a Scientific Officer accompanies / assists the Medical Officer while conducting postmortem.

3 The learned counsel for the petitioner would submit that it is the specific stand of the petitioner in his representations as well as in this writ petition that he accompanied and assisted the Medical Officers while conducting postmortem examinations and as such, he is entitled to get the Postmortem Allowance for medical-legal cases and it would be suffice to direct the 3rd respondent to consider and dispose of the representation dated 18.09.2015, which was forwarded through proper channel, in accordance with law as expeditiously as possible.

4 The Court heard the submissions of Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents, who would submit that appropriate orders will be passed by the 3rd respondent, based on the petitioner's representation dated 18.09.2015.

5 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner, directs the 3rd respondent to pass orders on the petitioner's representation dated 18.09.2015 duly forwarded in Dis.Ref.No.IFM:Ref.No.618/2015 dated 18.09.2015, on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

sd/

Assistant Registrar

/true copy/

Sub Assistant Registrar

AP

To

1.The Secretary to Government
Government of Tamil Nadu
Health & Family Welfare Department
Fort St. George, Chennai-9.

2.The Director of Medical Education,
162, EVR Periyar Salai, Kilpauk,
Chennai 600 010.

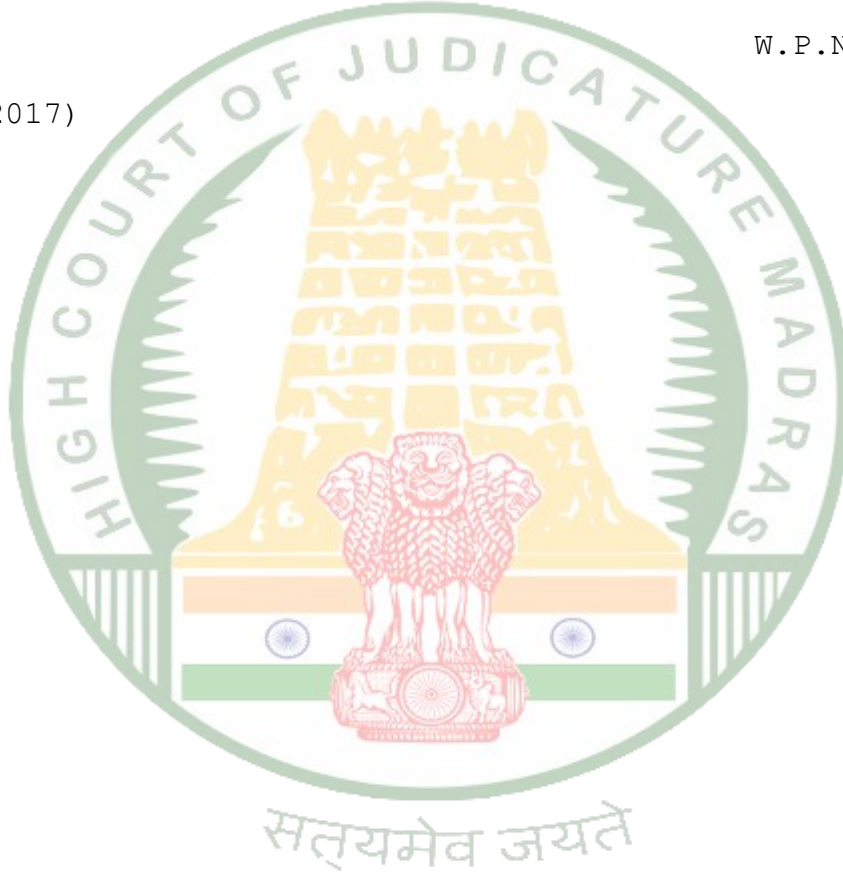
3.The Dean
Madras Medical College
Chennai-3.

+1cc to Mr.K.S.Karthik Raja, Advocate SR.No.4178.

+1cc to the Government Pleader Sr.No.4363.

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GN(10/02/2017)



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