



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.02.2017

CORAM :

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P(MD)No.3350 of 2017

and

W.M.P (MD)No.2716 of 2017

Dr.S.Rajasekar

... Petitioner

vs.

1)The Director of Medical and Rural Health Service,
Chennai-6.

2)The Director,
Local Fund Audit,
Kuralagam, 4th Floor,
Chennai-600 108.

3)The District Collector,
Karur District,
Karur.

4)The Block Development Officer/The Commissioner
(Development-Panchayats),
Panchayat Union Office,
Kulithalai, Karur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to revise the pension payable to the petitioner in PPO.No.27081/PU by granting the benefits of G.O.Ms.No.354/Family Welfare Department dated 23.10.2009 i.e. the time bound promotional benefits upto the post of Chief Civil Surgeon with the Pay Band-4 available to it, within a time limit fixed by this Hon'ble Court.

For Petitioner : Mr.C.Dhanaseelan

For Respondents : Mr.K.P.Krishnadass
Government Advocate

ORDER

Though the prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondent to revise the pension payable to the petitioner in PPO.No.27081/PU, by granting the benefits of G.O.Ms.No.354, Health and Family Welfare (B2) Department, dated 23.10.2009 i.e. the time bound promotional benefits upto the post of Chief Civil Surgeon with the Pay Band-4, when the matter came up for hearing, learned counsel for the



petitioner would submit that it is suffice, if a direction is issued to the 2nd respondent to consider and pass orders on the petitioner's representation dated 10.10.2016, seeking the abovesaid relief, within a time frame.

2.The petitioner has made six representations with regard to grant of benefits in the light of G.O.Ms.No.354, Health and Family Welfare (B2) Department, dated 23.10.2009 and the last of which is dated 10.10.2016. Copies of the same have been enclosed in the typedset of papers. Pursuant to the petitioner's representations, by communication dated 02.11.2016, addressed to the 2nd respondent, the 4th respondent has sought for clarifications on the claim of the petitioner.

3.In view of the limited relief sought for, without expressing any opinion on the merits of the case, this Writ Petition is disposed of directing the 2nd respondent to consider the petitioner's representations the last of which dated 10.10.2016, taking note of the communication dated 02.11.2016 of the 4th respondent and pass appropriate orders in accordance with law, if there are no legal impediments, within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, W.M.P(MD)No.2716 of 2017 is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

- 1)The Director of Medical and Rural Health Service,
Chennai-6.
 - 2)The Director, Local Fund Audit,
Kuralagam, 4th Floor,
Chennai-600 108.
 - 3)The District Collector,
Karur District, Karur.
 - 4)The Block Development Officer/The Commissioner
(Development-Panchayats), Panchayat Union Office,
Kulithalai, Karur District.
- +One cc to Mr.C.Dhanaseelan, Advocate, SR.No.10990
+One cc to The Special Government Pleader, SR.No.11178

nbi

RL/7C/2P/BS/9.3.2017

W.P(MD)No.3350 of 2017