

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.07.2018

CORAM

THE HON'BLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.NO.17688 OF 2018

Dr.P.R.G.Paulraj

... Petitioner

Vs.

1 The Additional Principal Secretary-cum-
Commissioner,
Indian Medicine and Homeopathy Department,
Arumbakkam,
Chennai-600 106.

2 The District Siddha Medicine Officer,
Coimbatore District,
Tiruppur.

3 The Block Medical Officer,
Government Primary Health Centre,
Kanjampatti,
Pollachi (South)
Pin code 642 003.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent herein to consider and pass orders in the representation dated 19.09.2015 of the petitioner and as instructed by the office of the 1st respondent herein in his proceedings in Mu.Mu.No.8077/Ni 1/2/2016, dated 02.09.2016 within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan
For Respondents : Mrs.Kavitha
Government Advocate

ORDER

Heard Mr.K.Govi Ganesan, the learned counsel appearing for the petitioner and Mrs.Kavitha, the learned Government Advocate, who accepts notice on behalf of the respondents. With consent of the learned counsel on either side, this Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this Writ Petition is that, during the fixation of pay on

01.01.1996, when the IV Pay Commission Award came into existence, his pay was not fixed properly. In this regard, though he has made several representations followed by reminders to the respondents, and, despite the fact remains that the first respondent has directed the second respondent to redress the grievance of the petitioner in this regard, no action on the same has been taken so far. Such letter of respondent No.1 is dated 02.09.2016, the translated copy of which is annexed at Page No.27 of the typed-set of papers filed in support of this Writ Petition. Therefore, he has filed this Writ Petition challenging such inaction of the respondent No.2 in consideration of his case with regard to fixation of pay in accordance with law and seeks a writ of mandamus, directing the second respondent to consider such representation within a stipulated period.

3. It is submitted by the learned counsel appearing for the petitioner that, since the petitioner has sought for the aforesaid relief, this Court may direct the second respondent to dispose of his representation within a stipulated period, more particularly, when the first respondent has directed the second respondent to redress the grievance of the petitioner in this regard.

4. The learned Government Advocate for the respondents submits that, if such representations are pending, and if there is no other legal impediments for disposal of the same, the second respondent shall have no objection to consider such representation in accordance with law within the time to be stipulated by this Court.

5. Considering the aforesaid facts and the submissions made, this Court is of the view that no useful purpose is going to be served by seeking a counter/reply affidavit from the respondents in this Writ Petition, and as such, the same stands disposed of at the stage of admission with a direction to the second respondent to dispose of such representations of the petitioner by taking an informed and considered decision in accordance with law within a period of six weeks from the date of receipt of a copy of this order, if the same have not been disposed of yet and if there is no other legal impediments for disposal of the same and communicate the decision taken to the petitioner. However, it is made clear that this Court has expressed no opinion on the merit of such representations of the petitioner, in any manner. No costs.

Sd/-

sd

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

To

- 1 The Additional Principal Secretary-cum-
Commissioner,
Indian Medicine and Homeopathy Department,
Arumbakkam,
Chennai-600 106.
- 2 The District Siddha Medicine Officer,
Coimbatore District,
Tiruppur.
- 3 The Block Medical Officer,
Government Primary Health Centre,
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+1 cc to Mr.K.Govi Ganesan Advocate SR.NO. 46702

+1 cc to government pleader SR.NO. 47588

W.P.No.17688 of 2018

VG II
ASK(24/08/2018)



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