



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2018

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. (MD) Nos.16838 and 16839 of 2013

1.Dr.M.Manonmani

...Petitioner in W.P(MD)No.16838/2013

2.Dr.V.Veeramani

...Petitioner in W.P(MD)No.16839/2013

-vs-

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Health Department,
Fort St.George,
Chennai-600 009.

2.The Director of Public Health and Preventive Medicine,
D.M.S.Campus,
Chennai-600 006. ...Respondents 1 and 2 in both WP's

3.The Director of Medical Education,
Kilpauk,Chennai-600 010.
...3rd Respondent in WP(MD)No.16838/2013

3.The Director of Medical and Rural Health Services,
DMS Compound, Teynampet, Chennai-6
...3rd Respondent in WP(MD)No.16839/2013

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to fix the pay and Allowances in the time scale of pay applicable to the Post of Assistant Surgeon in the Tamil Nadu Medical Services from the date of the Petitioners initial appointment ie., on 18.3.2005 to 31.10.2006 during which period the petitioners were paid only consolidated pay of Rs.8000/- without allowances by extending the similar benefit given under G.O.Ms.No.336, School Education(M1)Department, dated 30.12.2008 to the Petitioners.

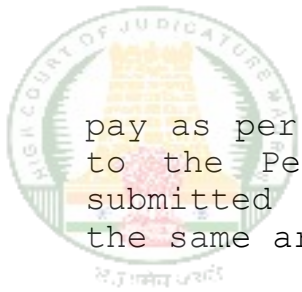
For Petitioners : M/s.R.Venkatesan

For Respondents : Ms.V.P.M.Vaishanavi
Govt.Advocate

COMMON ORDER

The grievances of the Writ Petitioners are that they are working as temporary employees and the time scale of pay fixed for the temporary employees has not been paid to them.

2.The learned counsel for the Writ Petitioners state that similarly placed employees who are working on temporary basis with the respondents/department have been provided with time scale of



pay as per the Government Orders in force. Such a benefit is denied to the Petitioners alone. In this regard, the Petitioners have submitted representations on 17.8.2013 to the third respondent and the same are yet to be considered.

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3.Thus, without going into the merits of the matter, the third respondent is directed to consider the representations submitted by the Petitioners on 17.08.2013 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The Writ Petitioners are directed to enclose the copy of their representations and the documents, if any, along with a copy of this order to the third respondent, for further action.

4.Accordingly, the Writ Petitions stand disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Health Department,
Fort St.George, Chennai-600 009.
- 2.The Director of Public Health and Preventive Medicine,
D.M.S.Campus,
Chennai-600 006.
- 3.The Director of Medical Education,
Kilpauk,Chennai-600 010.

+One cc to The Special Government Pleader, SR.No.52480
vsn
RL/5C/2P/SV/MMS/SAR2/14/3/2018

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