

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.33031 & 33034 of 2019

1.M.Sakthivel .. Petitioner in WP/33031/2019
2.N.Vasanthi .. Petitioner in WP/33034/2019

Vs.

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

2.The Director of Medical Education
Kilpauk, Chennai - 10. .. Respondents in both WPs

Prayer in W.P.No.33031 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to pass orders on the representation made by the petitioner dt 27.06.2019 for the grant of 2 incentive increments for acquiring Post basic B.Sc Nursing Degree within a reasonable time as deem fit by this Hon'ble Court.

Prayer in W.P.No.33034 of 2019: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to pass orders on the representation made by the petitioner dt 24.06.2019 for the grant of 2 incentive increments for acquiring Post basic B.Sc Nursing Degree within a reasonable time as deem fit by this Hon'ble Court.

For Petitioner : Mr.Alagu Goutham
(in both WPs)

For Respondent 1 : Mr.A.N.Thambidurai
(in both WPs) Special Government Pleader

For Respondent 2 : Mr.V.Kadirvelu
(in both WPs) Special Government Pleader

C O M M O N O R D E R

The prayer sought for in these Writ Petitions are to direct the respondents to pass orders on the representations made by the petitioners on various dates for the grant of 2 incentive increments for acquiring Post basic B.Sc Nursing Degree within a reasonable time as deem fit by this Hon'ble Court.

2. The petitioners are working as Staff Nurse in the Government Hospital from the year 2002. The petitioners completed B.Sc Nursing degree through department and hence they are entitled to get the incentive increments. Accordingly, the petitioners made representations dated 27.06.2019 and 24.06.2019 respectively to the respondents. However, till date the representations were not considered. Therefore, these Writ Petitions have been filed.

4. The learned counsel appearing for the petitioners would submit that it would be suffice to issue direction to the respondents to consider and dispose of the petitioners' representations dated 27.06.2019 and 24.06.2019 respectively, on merits and in accordance with law.

5. Mr.V.Kadirvelu, learned Special Government Pleader would submit that the Competent Authority to consider the representations is the Director of Public Health and Preventive Medicine, who has not been made party to these Writ Petitions.

6. Considering the facts and circumstances of the case, and the limited request made by the learned counsel for the petitioners, though the Competent Authority, namely, Director of Public Health and Preventive Medicine is not a party to the present Writ Petitions, I am inclined to issue direction to him to consider and dispose of the representations dated 27.06.2019 and 24.06.2019 on merits and in accordance with law. The 1st respondent is directed to forward the same to the Director of

Public Health and Preventive Medicine. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

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To

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

2.The Director of Medical Education
Kilpauk, Chennai - 10.

3.The Director,
Public Health and Preventive Medicine,
Chennai-6.

+1cc to Mr.M.Muthappan, Advocate SR.98330

+1cc to the Government Pleader SR.98967

+1cc to M/s.Muthappan, Advocate SR.98331 (04/12/2019)

W.P.Nos.33031 & 33034 of 2019

VD(CO)
CB(03/12/2019)

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