



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.10887 of 2019

M.Jothimani

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Principal Secretary,
Department of Health and Family Welfare,
Secretariat, Chennai - 9.

2.The Director,
Public Health and Preventive Medicine,
Teynampet, Chennai - 06.

3.The Director,
Medical and Rural Health Services,
Teynampet, Chennai - 06.

4. The Assistant Director,
Public Health and Preventive Medicine,
Meenakshinayakkanpatti, Dindiugl.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent no.1 to dispose the proposal sent by the respondent no.2 dated 23.03.2018 and bring the petitioner's services under time scale of pay with effect from 06.04.2015 in the light of the G.O.Ms.No.151, Social Welfare (M) Nutrition (F&D) Department, dated 16.10.2018 with all consequences benefits within the time stipulated by this Court.

For Petitioner : Mr.T. Thirumurugan

For Respondents : Mr.. V. Anand
Government Advocate

ORDER



and bring the petitioner's service under time scale of pay with effect from 06.04.2015 in the light of G.O.Ms.No.151, Social Welfare (W) Nutrition (F54) Department, dated 16.10.2008, within the time stipulated by this Court, the petitioner is before this Court.

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2. The learned counsel appearing for the petitioner submitted that though the proposal has been forwarded by the second respondent to the first respondent, the same has not been considered so far, and hence, appropriate directions may be issued to the first respondent to consider the claim of the petitioner.

3. The learned Government Advocate, appearing on behalf of the respondents submitted that the claim of the petitioner would be considered on merits and in accordance with law.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to consider the claim of the petitioner as per the proposal forwarded to them on 23.03.2018, by the second respondent and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar(CS)

To

1. Secretary,
Department of Health and Family Welfare,
Secretariat, Chennai - 9.

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

3. The Director,
Medical and Health Services,
Teynampet, Chennai - 06.



4.The Assistant Director,
Public Health and Preventive Medicine,
Meenakshinayakkan Patti,
Dindigul.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-64605[F] dated
30/04/2019)

trp

W.P (MD) No.10887 of 2019
29.04.2019

KM/ (22.05.2019) 3P 6C