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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM:

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

W.P (MD) No.10898 of 2019

M. Kesavan

... 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, Dindigul.

... 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 service under time scale of pay with effect from 27.03.2015 in the light of the G.O.Ms.No.151, Social Welfare (M) Nutrition (பி4) Department, dated 16.10.2018 with all consequences benefits within the time stipulated by this Court.

For Petitioner : Mr.T. Thirumurugan

For Respondents : Mr.C.M.Mari Chellaiah Prabu  
Additional Government Pleader

**ORDER**

Seeking a direction to the first respondent to dispose of the proposal sent by the second respondent, dated 23.03.2018 with regard to bringing the petitioner's service under time scale of pay with effect from 27.03.2015 in the light of G.O.Ms.No.151, Social Welfare (M) Nutrition (பி4) Department, dated 16.10.2008, the present Writ Petition came to be filed.



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

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3. The learned Additional Government Pleader, who is appearing on behalf of the respondents, submitted that the first respondent would consider the claim of the petitioner in the light of the proposal sent by the second respondent.

4. In view of the above submissions, 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(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

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

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

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



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

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+1CC TO MR.T.THIRUMURUGAN, Advocate Sr. No. 64604

W.P(MD)No.10898 of 2019  
29.04.2019

MT(CO)

TR (06.06.2019) 3P 6C