

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.02.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.2403 of 2020

Dr.E.Prabhu, M.D.(Gen.Medicine)
D.R.M.,F.R.C.P.(Glasgow), F.I.C.P.
F.I.M.S.A., F.I.A.M.S
Working in Nuclear Imaging and Molecular Medicine,
Tamil Nadu Government Multi Super Speciality Hospital,
Omandurar Government Estate, Chennai 600 002..... Petitioner

Vs.

1. The Health Secretary to the Government,
Health and Family Welfare Department,
Government of Tamil Nadu, Secretariat,
Fort. St. George, Chennai 600 009.
2. The Director of Medical Education,
Government of Tamil Nadu,
Poonamallee High Road, Kilpauk,
Chennai 600 010.
3. The Dean,
Madras Medical College,
Chennai 600 003. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to consider the representation of the petitioner vide letter Re.No.NM 13012020/112 dated 13.01.2020 for posting the petitioner as Senior Consultant in Tamil Nadu Government Multi Super Speciality Hospital with appropriate pay and allowance as per G.O.Ms.No.223 dated 31.07.2014 issued by the first respondent within a time frame fixed by this Court.

For Petitioners : Mr.V.Raghavachari
for Mr.M.Narayanaswamy

For Respondents: Mr. Akhil Akbar Ali
Government Advocate

O R D E R

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the second respondent to consider the representation made by the petitioner, by treating the service of the petitioner as a senior consultant and to pass appropriate orders.

2. The case of the petitioner is that he is working as a Senior Consultant in the Nuclear Medicine Department at the Tamil Nadu Government Multi Super Specialty Hospital. The grievance of the petitioner is that in the refitment, transfer and posting order dated 15.11.2019, the petitioner was refitted as a Junior Consultant in the Nuclear Medicine and it was mentioned in the order that he has originally posted in the Madras Medical College in the post of Assistant Professor in Nuclear Medicine. According to the petitioner, he has not been properly designated and consequently, he has not been given the appropriate pay and attendant benefits. Therefore, the petitioner has given a representation to the respondents in this regard. The petitioner wants the respondents to consider the representation and pass appropriate orders within the time fixed by this Court.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 13.01.2020 and pass appropriate orders, on its own merits and in accordance with law within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with the representation dated 13.01.2020 and a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

To

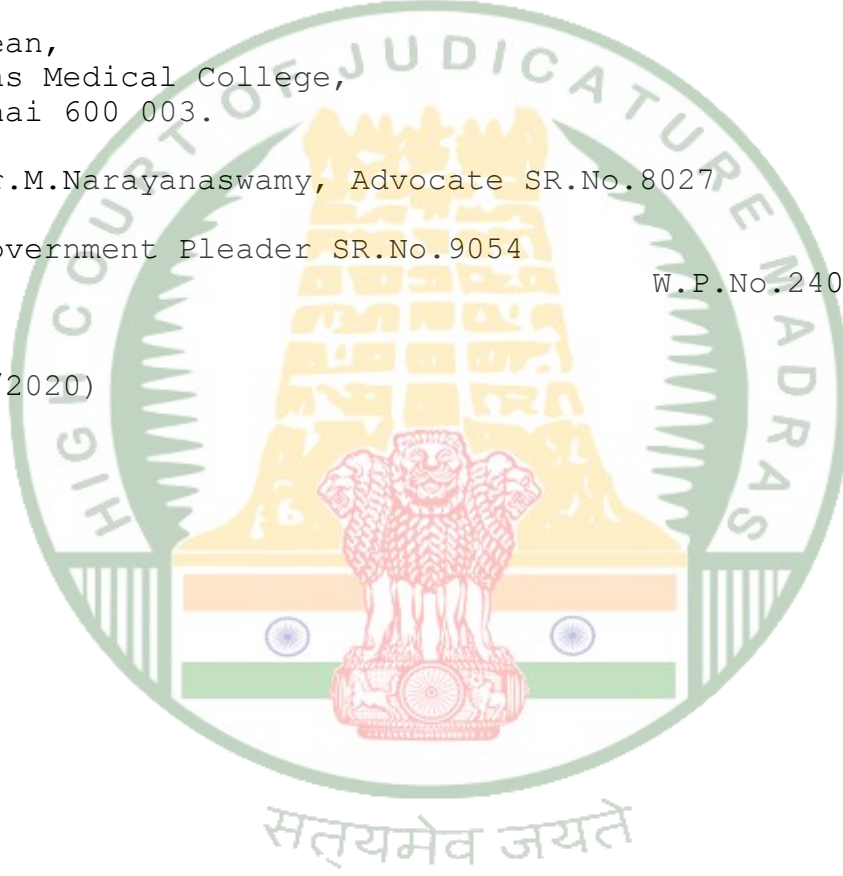
1. The Health Secretary to the Government,
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Chennai 600 010.
3. The Dean,
Madras Medical College,
Chennai 600 003.

+1cc to Mr.M.Narayanaswamy, Advocate SR.No.8027

+1cc to Government Pleader SR.No.9054

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GMY(20/02/2020)



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