

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6790 of 2013

And

M.P.No.1 of 2013

S.Kalaivanan

... Petitioner

Vs.

1. The Secretary to Government,
Health & Family Welfare Department,
Fort St.George,
Chennai 600 009.

2. The Director of Public Health & Preventive Medicine,
D.M.S.Compound,
Anna Salai,
Chennai 600 006.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned order issued by the 1st respondent in Letter No.22173/N1/2012-2 dated 15.10.2012 and quash the same and consequently direct the respondents to fix the seniority of the petitioner in accordance with G.O.Ms.No.1936, Health and Family Welfare Department, dated 29.09.1992 upheld in W.P.No.13352 of 2002 dated 20.04.2007 and consequently grant all promotions with retrospective effect in accordance with the seniority with all monetary benefits with arrears in the revised scale with interest.

For Petitioner : Ms.Swathi Subramaniam
for Mr.R.Prem Narayan

For Respondents: Mr.S.Thangavel
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned order issued by the first respondent in Letter No.22173/N1/ 2012-2 dated 15.10.2012 and to quash the same and to consequently direct the respondents to fix the

seniority of the petitioner in accordance with G.O.Ms.No.1936, Health and Family Welfare Department, dated 29.09.1992 upheld in W.P.No.13352 of 2002 dated 20.04.2007 and to consequently grant all promotions with retrospective effect in accordance with the seniority with all monetary benefits with arrears in the revised scale with interest.

2.The learned counsel appearing for the petitioner would submit that during the pendency of this writ petition, major portion of the relief sought for in this writ petition has been granted to the petitioner, however, arrears of pay has not yet been settled in favour of the petitioner. Hence, this Court may permit the petitioner to make additional representation to the respondents to avail the monetary benefits.

3.The learned Special Government Pleader would submit that if this Court permits the petitioner to make such representation and if the petitioner makes such representation, the same would be considered, if the petitioner is otherwise eligible.

4.In view of the above, this Court permits the petitioner to make additional representation to the respondents to avail the monetary benefits, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made by the petitioner, the respondents shall consider the same, if he is otherwise eligible, within a period of three months from the date of receipt of the representation.

5.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar

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Sub-Assistant Registrar

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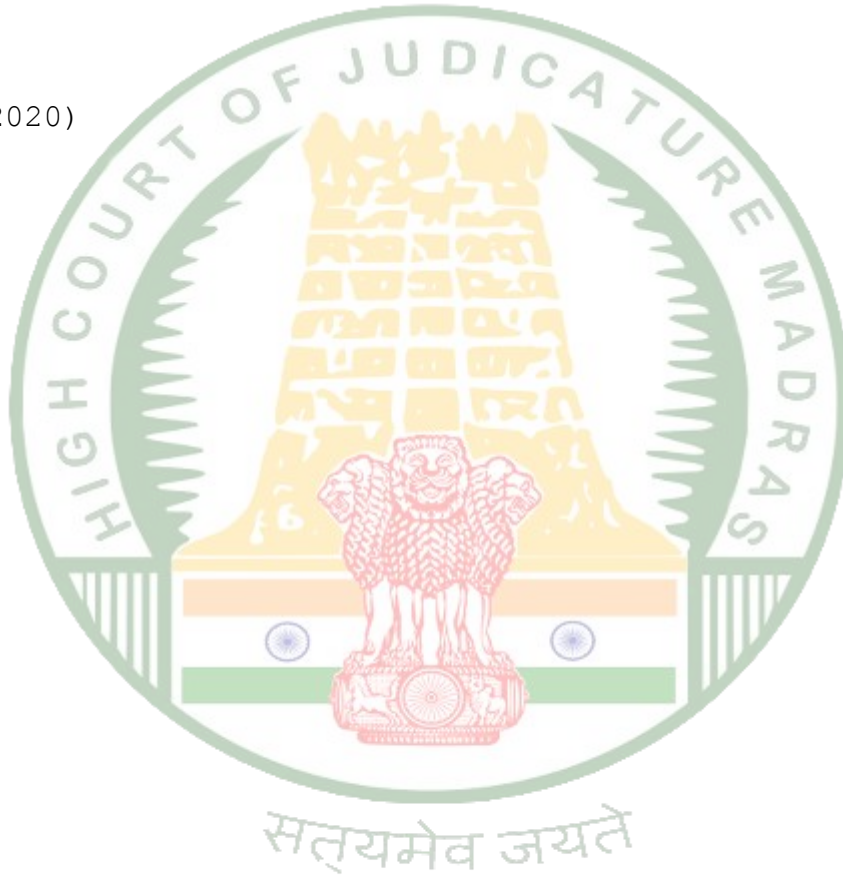
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+1 CC to The Govt. Pleader sr 34752.

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GJ(CO)
SP(07/12/2020)



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