

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.21340 and 21341 of 2017

V.Muruganandam ... Petitioner in W.P.No.21340 of 2017

A.Sivakumar ... Petitioner in W.P.No.21341 of 2017

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Madras 600 009.
2. The Director of Medical Education,
Kilpauk, Chennai 600 010.
3. The Dean, Coimbatore Medical College,
Coimbatore. ... Respondents in both writ
petitions

Prayer in W.P.No.21340 of 2017: This writ petition has been filed under Article 226 of the Constitution of India to issue a writ in the nature of writ of mandamus or any other writ or order or direction directing the respondents to promote the petitioner to the post of Non Medical Demonstrator by considering the petitioner's representation dated 03.04.2013.

Prayer in W.P.No.21341 of 2017: This writ petition has been filed under Article 226 of the Constitution of India to issue a writ in the nature of writ of mandamus or any other writ or order or direction directing the respondents to promote the petitioner to the post of Non Medical Demonstrator by considering the petitioner's representation dated 22.01.2013.

For Petitioner : Mr.R.Jayaprakash in both writ petitions
For Respondents : Mr.Akil Akbar Ali, Gov. Advocate
(for R1 to R3) in both writ petitions

C O M M O N O R D E R

These writ petitions have been filed for direction to the respondents to promote the petitioners to the post of Non Medical Demonstrator by considering their representation dated

03.04.2013 and 22.01.2013.

2. The case of the writ petitioner in both the writ petitions in nutshell is as follows:

The writ petitioner in W.P.No.21340 of 2017 has joined the service as Lab Technician Grade-II at Coimbatore Medical College on 15.07.2002, whereas the writ petitioner in W.P.No.21341 of 2017 on 10.07.2002. Further they have promoted to the post of Lab Technician Grade-I in the year 2008 and they obtained their B.Sc. Chemistry degree in the year 2012. The next promotion post is Non Medical Demonstrator and for the above said post, there are 5 vacancies in that Medical College. As per G.O.Ms.No.296 dated 26.08.2010, the pay scale of Lab Technician Grade-I and the Non Medical Demonstrator is identical and hence, the petitioners made representation to the 3rd respondent to promote them to the above said post. However, their representations were not considered. Hence these writ petitions.

3. The learned Government Advocate, appearing for the respondents submitted that the representations made by the writ petitioners, shall be considered by the respondents in accordance with law.

4. Recording the submission made by the learned Government Advocate, this court is inclined to pass the following order.

i) The 3rd respondent is directed to consider the representation made by the petitioner in W.P.No.21340 of 2017 dated 03.04.2013 and the representation made by the petitioner in W.P.No.21341 of 2017 dated 22.01.2013 and pass an order on merits in accordance with law, as early as possible, within a period of 12 weeks from the date of receipt of the copy of this order.

ii) It is needless to say that the copy of the said representation made by the petitioner in W.P.No.21340 of 2017 dated 03.04.2013 and the petitioner in W.P.No.21341 of 2017 dated 22.01.2013 shall be enclosed along with the copy of this order addressed to the respondents.

iii) No order as to costs.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

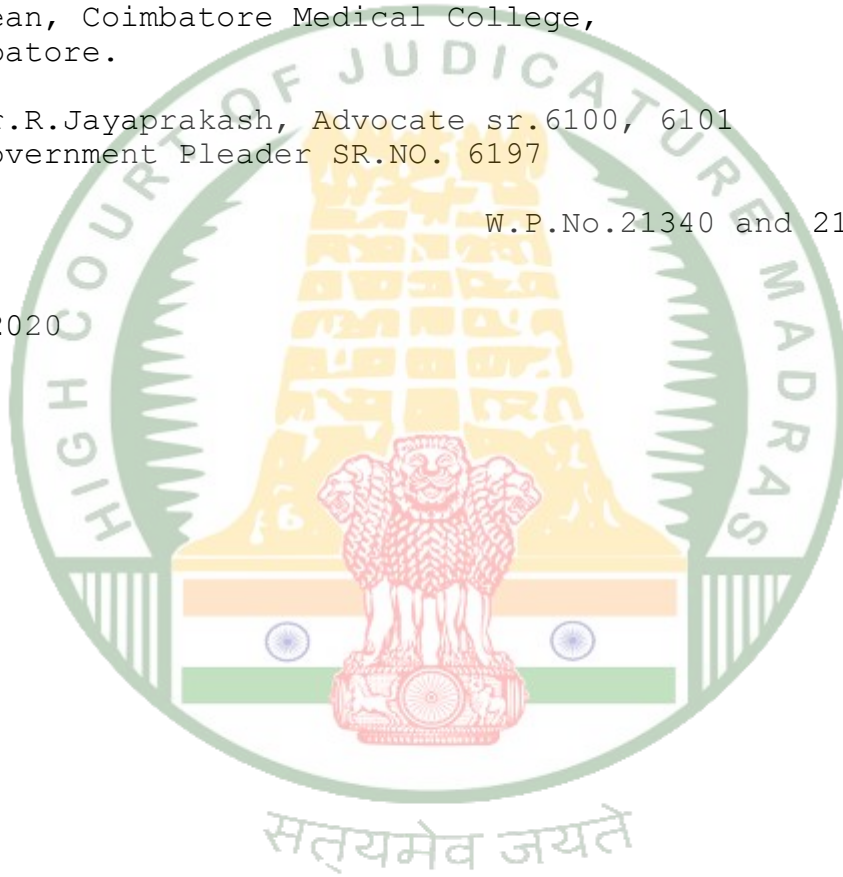
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1. The Secretary to Government,
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2. The Director of Medical Education,
Kilpauk, Chennai 600 010.
3. The Dean, Coimbatore Medical College,
Coimbatore.

+2cc to Mr.R.Jayaprakash, Advocate sr.6100, 6101
+1cc to Government Pleader SR.NO. 6197

W.P.No.21340 and 21341 of 2017

br(co)
nr 03/03/2020



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