



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **RMT.TEEKAA RAMAN**

W.P. (MD)No.7405 of 2013

Dr.K.P.Balasubramanian

.. Petitioner

Vs.

1.The Secretary to Government
Health and Family Welfare (A) Department
Secretariat, Chennai -9

2.The Secretary to the Government
Finance (Pay Cell) Department
Secretariat, Chennai -9

3.The Director of Medical and Rural Health Services
D.M.S.Compound, Chennai -6

4.The Joint Director of Health Services
Virudhunagar District
Virudhunagar

5.The Chief Medical Officer
Government Hospital
Rajapalayam, Virudhunagar District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent in respect of G.O.Ms.No.354 Health and Family Welfare (B2) Department dated 23.10.2009 and the consequential order of the first respondent dated 06.09.2012 in Government letter No.24699/A2/2012-1 Health and Family Welfare (A) Department and quash the same as illegal ultra vires and consequently direct the first respondent to provide the benefit to the petitioner by giving the monetary benefit as per G.O.No.354 Health and family Welfare Department dated 23.10.2009 as 01.01.2007 as in the case of parent G.O.Ms.No.234 Finance (Pay Cell) Department dated 01.06.2009.

For Petitioner
For Respondents

: Mr.G.Rajendran
: Mr.S.Shanmugaselvam
Additional Government Pleader

ORDER

This petition has been filed to call for the records of the first respondent in respect of G.O.Ms.No.354 Health and Family Welfare (B2) Department dated 23.10.2009 and the consequential order of the first respondent dated 06.09.2012 in Government letter No.24699/A2/2012-1 Health and Family Welfare (A) Department and quash the same as illegal ultra vires and consequently direct the



first respondent to provide the benefit to the petitioner by giving the monetary benefit as per G.O.No.354 Health and family Welfare Department dated 23.10.2009 as 01.01.2007 as in the case of parent G.O.Ms.No.234 Finance (Pay Cell) Department dated 01.06.2009.

2.Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that in view of the G.O passed, the relief sought for in the Writ Petition has become infructuous and hence, nothing survives for adjudication in this petition.

3.Recording the submission made by the learned counsel appearing for the petitioner, this Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

MSA

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary to Government
Health and Family Welfare (A) Department
Secretariat, Chennai -9
- 2.The Secretary to the Government
Finance (Pay Cell) Department
Secretariat, Chennai -9
- 3.The Director of Medical and Rural Health Services
D.M.S.Compound ,Chennai -6
- 4.The Joint Director of Health Services
Virudhunagar District ,Virudhunagar
- 5.The Chief Medical Officer
Government Hospital
Rajapalayam, Virudhunagar District

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SMA/16/07/2020/2P/6C