



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2020

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.11085 of 2020

(Through Video conferencing)

- 1.Dr.S.Balasubramanian
- 2.Dr.T.Sathishkumar
- 3.Dr.P.Aravindan
- 4.Dr.A.Usharani
- 5.Dr.G.Rukmani
- 6.Dr.N.Kalyani
- 7.Dr.A.Abdul Saleem
- 8.Dr.J.Sujatha
- 9.Dr.G.Anandhakumar
- 10.Dr.R.Shyamala
- 11.Dr.M.Balaji
- 12.Dr.P.Eswari
- 13.Dr.P.Thilagam
- 14.Dr.H.N.Najumunnissa
- 15.Dr.V.Rathinam

...Petitioners

-Vs-

- 1.The State of Tamilnadu represented by its
Secretary, Municipal Administration &
Water Supply Department,
Secretariat,
Chennai - 600 009.

- 2.The Commissioner of Municipal Administration,
Chepauk,
Chennai - 600 005.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the 1st respondent to pass orders on the proposal submitted by the 2nd respondent proceedings in R.O.C.No.121/2011/H3 dated 09.08.2016 within a stipulated time as may be fixed by this Court.

For Petitioners : Mr.V.Muthukamatchi

For Respondents : Mr.M.Jeyakumar, AGP



ORDER

The Prayer sought for in this writ petition is for a writ of Mandamus, to direct the 1st respondent to pass orders on the proposal submitted by the 2nd respondent proceedings in R.O.C.No.121/2011/H3 dated 09.08.2016 within a stipulated time as may be fixed by this Court.

2.The petitioners are Siddha, Ayurveda, Unani and Homeo Doctors, in short, Indian Medicine Doctors working under the Municipal Administration Department at various Centres. With regard to their service conditions, they seem to have sought for time bound promotion with pay hike with retrospective effect from 26.11.2010 on par with Medical Officers Allopathy, vide G.O.D.No.583 dated 26.11.2010.

3.The said request of the petitioners having been considered by the 2nd respondent, who is the Commissioner of Municipal Administration, in Roc.121/2011/H3 dated 09.08.2016, has sent a detailed request cum recommendation to the 1st respondent to consider the said plea of the petitioners and other similarly placed persons and confer those benefits to these Indian Medicine Doctors also on par with Allopathy Doctors.

4.Though the said proposal has been sent to the 2nd respondent by the 1st respondent as early as on 09.08.2016, so far, it seems that, the said proposal has not been considered on merits by the 1st respondent. Therefore, the petitioners are before this Court with the aforesaid prayer.

5.Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

6.The learned Additional Government Pleader appearing for the respondents, would submit that, if the said proposal dated 09.08.2016 sent by the 2nd respondent has so far not been decided on merits by the 1st respondent, certainly, it would be considered and decided on merits within a time frame.

7.Taking into account the said submission made by the learned Additional government Pleader appearing for the respondents and having taken on record the factual matrix of this case, where, a proposal has already been sent by the 2nd respondent as early as on 09.08.2016 to the 1st respondent, this Court is inclined to dispose of this writ petition with the following direction:

"The 1st respondent is directed to consider the proposal sent by the 2nd respondent dated 09.08.2016 in Roc.121/2011/H3 and decide the same on merits and in accordance with law and pass final orders within a



period of three months from the date of receipt of a copy of this order and communicate the same to the petitioners."

8. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Arul

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, Municipal Administration &
Water Supply Department,
State of Tamilnadu,
Secretariat,
Chennai - 600 009.

2. The Commissioner of Municipal Administration,
Chepauk,
Chennai - 600 005.

+1 CC to SPL GP (SR-16506[F] dated 10/09/2020)

Order made in

W.P. (MD) No. 11085 of 2020

08.09.2020

VB (29.09.2020) 3P 4C