



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.12304 of 2021

- 1.R.Nandhini
- 2.A.Suresh
- 3.R.Pradeepa
- 4.B.Baskaran
- 5.S.Anjalai
- 6.P.Esakki Valli Durai
- 7.D.Selva Mari
- 8.K.Vijitha
- 9.M.Jeyagomathi
- 10.M.Jeyakarthika
- 11.K.Silamabarasan
- 12.M.Sakthi Devi
- 13.S.Bagirathi
- 14.S.Bharath
- 15.B.Kalai Selvi
- 16.M.Annalakshmi
- 17.S.Thangadurai
- 18.P.Nagaraj
- 19.A.Priya
- 20.V.Thiruppathi
- 21.T.Ilachezhian
- 22.M.Janaki Devi
- 23.S.Marimuthu
- 24.M.Maniraj
- 25.M.Devi
- 26.B.Suman Raj
- 27.A.Uma Rajeswari
- 28.P.Rajeswari
- 29.M.Nithish
- 30.C.Punithavathi
- 31.A.Maduravani
- 32.K.Eswaran
- 33.A.Ramprasadh
- 34.G.Saravanan
- 35.S.Mohamed Jerina
- 36.P.Vishnupriya
- 37.M.Dhanu Venkatesh
- 38.R.Muruga Arumugam
- 39.M.R.Anupriya
- 40.R.Manikandan



41.K.Kanagaraj
42.M.Murugalakshmi
43.K.Suresh
44.I.Kavitha
45.M.Gurusamy

...Petitioners

Vs

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Chennai - 600 009.
- 3.The Director,
Directorate of Indian Medicine and Homeopathy,
Arumbakkam, Chennai - 600 106.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to consider and pass orders on the 3rd respondent's recommendation/proposal made in Na.Ka.No.278/thi2/2/2019 dated 03.05.2019 regarding revision of scale of pay on merits, as per law and within a time to be stipulated by this Hon'ble Court.

For Petitioners : Mr.L.Chandrakumar
For R1 to R3 : Mr.K.V.Sajeev Kumar, Spl. GP

ORDER

The relief sought for in this writ petition is to direct the first respondent to consider and pass orders on the 3rd respondent's recommendation/proposal made in Na.Ka.No.278/thi2/2/2019 dated 03.05.2019 regarding revision of scale of pay of the petitioners on merits and as per law, within a time to be stipulated by this Court.

2.According of the petitioners, they are all working as Therapeutic Assistants in various Government Hospitals at Tamil Nadu. They are receiving lesser salary than the persons working as Medical Lab Technician (Grade -II), Dental Hygienist etc., who were also recruited on the basis of same qualification i.e. Diploma in Nursing. Hence, the petitioners made a representation dated 03.05.2019 seeking revision of scale of pay, to the 3rd respondent, who in turn forwarded the same to the 1st respondent with his recommendations vide communication dated 03.05.2019. Finding no response on the same, the petitioners



have come up with the present writ petition for the aforesaid relief.

3. On the other hand, Mr. K. V. Sajeew Kumar, learned Special Government Pleader taking notice for the respondents fairly submitted that the first respondent would consider the claim of the petitioners and pass orders on merits and as per the recommendations of the third respondent.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to consider the petitioners' representation dated 03.05.2019 and pass appropriate orders, on merits and in accordance with law and also in the light of the recommendations of the third respondent vide communication dated 03.05.2019 in Na.Ka.No.278/thi2/2/2019, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

mtl

To

1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.

2. The Principal Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Chennai - 600 009.

3. The Director,
Directorate of Indian Medicine and Homeopathy,
Arumbakkam, Chennai - 600 106.

+1 CC to Mr. L. Chandrakumar, Advocate sr 27380.

W.P.No.12304 of 2021

GPL (CO)
SP (23/07/2021)