

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30003 of 2014

G.Ramadas

... Petitioner

Vs

1.Director of Public Health and
Preventive Medicine, Tenampet,
Chennai-6.

2.Deputy Director of Health Services
Namakkal,
Namakkal District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to award selection Grade/Special Grade in the promotional post of Technical personal Assistant by counting the service rendered in the selection grade of the lower post in the light of the G.O.Ms.No.210 P & AR(S) Department dated 11.03.87 and Government letter No.168/P&AR (S) Department dated 28.09.1999.

For Petitioner : Mr.V.Thirupathi

For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

The prayer made in this writ petition is to direct the respondents to award selection Grade/Special Grade in the promotional post of Technical Personal Assistant by counting the service rendered in the selection grade of the lower post, in the light of G.O.Ms.No.210 P&AR(S) Department dated 11.03.87 and Government letter No.168, P&AR (S) Department dated 28.09.1999.

2.According to the petitioner, he joined as Health Inspector on 14.10.1962 in the Primary Health Centre and was awarded selection grade on 22.01.1973 and was sanctioned stagnation increment on completion of 20 years on 22.01.1983. Thereafter, he was promoted as Technical Personal Assistant on 06.11.1988 and he retired from service on 31.10.1998. It is the further case of the petitioner that as per G.O.Ms.No.210 P&AR(S)

Department, dated 11.03.1987 and Government letter No.168, P&AR (S) Department dated 28.09.1999, he is entitled to get selection grade in the promotional post of Technical Personal Assistant by counting the services rendered in the lower post, since the selection grade scale of the lower post is identical to the ordinary grade of the higher post. In this regard, he submitted a representation on 23.01.2014 to the respondents, which was not considered till date. Hence, this writ petition.

3.However, today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that it would suffice, if the petitioner's representation dated 23.01.2014 is directed to be considered by the respondents, within a time frame to be stipulated by this Court, for which the learned Government Advocate appearing for the respondents has no serious objection.

4.Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court directs the respondents to consider the representation dated 23.01.2014 submitted by the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

msv

To

1.Director of Public Health and
Preventive Medicine, Teynampet,
Chennai-6.

2.Deputy Director of Health Services
Namakkal, Namakkal District.

+lcc to Mr.V.Thirupathy, Advocate SR.2704
+lcc to the Government Pleader SR.3064

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SKY(CO)
CB(22/03/2021)