

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17957 of 2014

1. M.Tamilarasu
2. M.Manikandan
3. N.Govindaraj
4. H.Nazeer
5. J.muthusamy
6. S.Mani
7. N.Sasikumar
8. R.Citti Babu
9. G.Gopalakrishnan
10. A.Ramkumar
11. R.Annadurai
12. C.Palanisamy
13. H.Jayaprakash
14. S.Dhanapal
15. K.Ganapathy
16. R.Lakshmanan
17. K.Balamurugan
18. N.Nagendran
19. P.Mohan
20. J.Balasubramanian
21. C.Udhayakumar
22. K.Sakthivel
23. G.Jeyapal
24. R.Vairavasundaram
25. S.Nagendran
26. P.Naganathan
27. N.Rajan
28. P.V.Mohan
29. G.Saravanan
30. C.Sekar

...Petitioners

.Vs.

1. The State of Tamil Nadu,  
Rep.by its Principal Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Fort St.George, Chennai 600 009.
2. The Director of Public Health and Preventive Medicine,  
DMS Compound, Teynampet,  
Chennai - 600 006.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioners to the post of Lab Technician Grade-II in Tamil Nadu Medical Subordinate Services on par with juniors as promoted as per G.O.(D).No.1188 Health and Family Welfare Department dated 08.11.2006 with all consequential and other attendant benefits including arrears of salary with interest within a time frame to be fixed by this Court.

For Petitioners : Mr.G.Sankaran

For Respondents : Mr.J.Ramesh, AGP

ORDER

This writ petition has been filed by the petitioners for a mandamus directing the respondents to promote them as Lab Technician Grade-II in Tamil Nadu Medical Subordinate Services on par with their juniors as per G.O.(D).No.1188, Health and Family Welfare Department, dated 08.11.2006 with all consequential and other attendant benefits including arrears of salary with interest within a time frame to be fixed by this Court.

2.Upon notice, the respondents filed a detailed counter affidavit, wherein, it is inter alia stated that the Lab Technician Grade-III candidates with certificate in Medical Laboratory Technology qualification at the time of their initial appointment alone are eligible for promotion as Laboratory Technician Grade-II; and the Field Assistants promoted as Laboratory Assistants are not eligible for promotion as Laboratory Technician Grade-II. It is further stated therein that though the petitioners are seniors, they do not possess the required qualification and they were not able to attend the promotion counselling along with their juniors and therefore, the request of the petitioners to appoint them as Laboratory Technician Grade-II is not feasible for compliance, however, these Laboratory Technician Grade-III are having promotional avenues as Health Inspector -Grade I and Junior Entomologist with higher pay Rs.9300-34800 + 4600 GP. Stating so, the respondents sought to dismiss this writ petition.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioners, on instructions, submitted that the petitioners have now reached the eligibility criteria and hence, they may be given liberty to approach the authority concerned with fresh representation for appropriate relief.

4.Granting such liberty to the petitioners, this writ petition stands disposed of. No costs.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

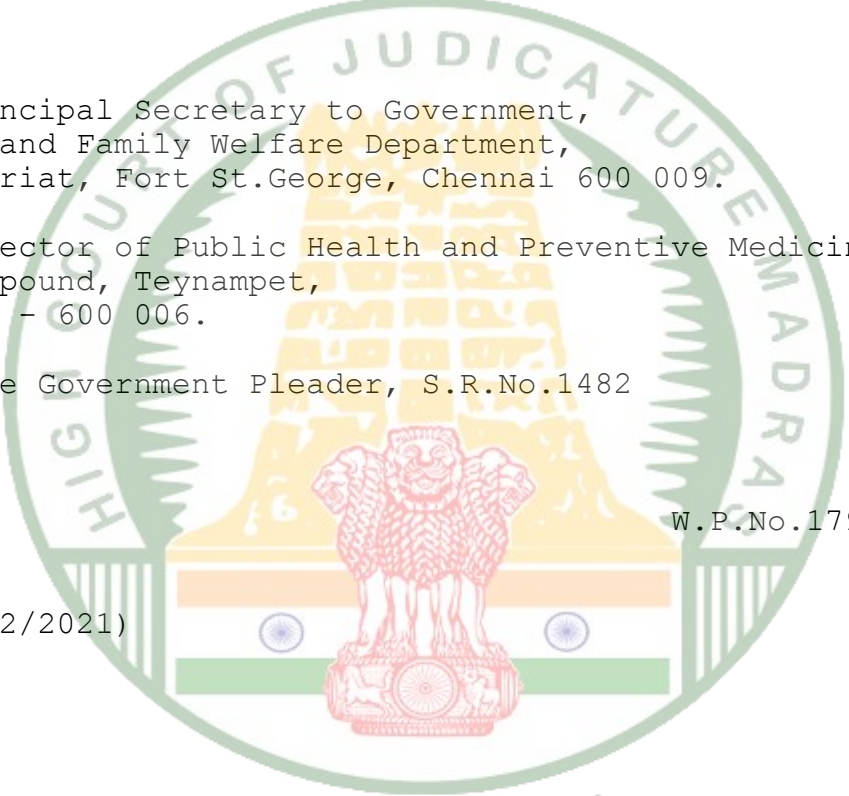
To

1. The Principal Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Fort St.George, Chennai 600 009.
2. The Director of Public Health and Preventive Medicine,  
DMS Compound, Teynampet,  
Chennai - 600 006.

+1cc to the Government Pleader, S.R.No.1482

W.P.No.17957 of 2014

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