



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.5311 of 2019

and

W.M.P(MD) No.793 of 2020

WEB COPY

Dr.T.Saravanamuthu

... Petitioner

Vs

1.The State of Tamilnadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai.

2.The Director of Medical & Rural Health
Services Department,
Chennai.

3.The Dean,
Government Rajaji Hospital,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to reckon the service seniority of the petitioner by including his 5 years of Medical Officer Service under Short Service Commission between the year of 04.09.1995 and 04.09.2000 with the present service and may consequently grant all service benefits to the petitioner proportionate to his seniority.

For Petitioner : Mr.A.Balakrishnan

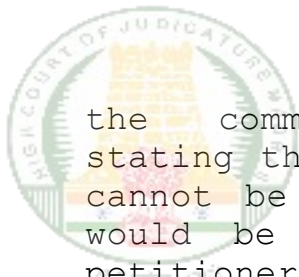
For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

O R D E R

The grievence of the petitioner is that his military service as Medical Officer for the period between 04.09.1995 to 04.09.2000, has not been reckoned for seniority and in this connection, the petitioner herein had also given a representation on 16.02.2019. In view of the non consideration of the representation by the respondents, the present writ petition has been filed.

2.Though the learned Special Government Pleader relies upon

<https://hcservices.ecourts.gov.in/hcservices/>



the communication of the first respondent dated 29.08.2016, stating that the petitioner's military service of Medical Officer cannot be taken into consideration to reckon the seniority, it would be appropriate that such reply could be made to the petitioner pursuant to his request, dated 16.02.2019.

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3. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 16.02.2019, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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, State of Tamilnadu,
Health and Family Welfare Department,
Fort St. George, Chennai.

2. The Director of Medical & Rural Health Services Department,
Chennai.

3. The Dean, Government Rajaji Hospital, Madurai.

+1 CC to M/s.A.BALAKRISHNAN, Advocate SR-4727[F] dated 12/02/2021

+1 CC to M/s.GP (SR-4973[F] dated 15/02/2021)

Order made in

W. P. (MD) No. 5311 of 2019

and W.M.P (MD) No. 793 of 2020

11.02.2021

KUN (CO)

TR (24.02.2021) 2P 6C