





W.P.No.4523 of 2022

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to revise the petitioners appointment as Junior Assistant with effect from their respective appointments along with back wages and other monetary benefits within a time frame as may be stipulated by this Court.

For Petitioners : Mr.P.R.Venkatesh Masethung

For Respondents : Mr.V.Veluchamy  
Additional Government Pleader

### **ORDER**

This writ petition has been filed for issuance of Mandamus directing the respondents to revise the petitioners appointment as Junior Assistant, with effect from their respective appointments along with back wages.

#### **2. The case of the petitioners in brief:**

The petitioners were appointed as Office Assistant in the third respondent college under compassionate ground during the year 2019 and they possessed sufficient qualification for appointment of Junior Assistant on the date of appointment itself. According to the petitioners, in the light of G.O.(Ms).No.1499 dated 03.08.1989, the petitioners ought to be appointed as Junior Assistant and this court has also allowed the writ petitions in the



W.P.No.4523 of 2022

similar matters in W.P.No.3642/2011 dated 15.02.2017, W.P.No.13354, 13355 of 2013 dated 06.12.2018. Though the petitioners have submitted their individual representation on 27.01.2022 to the respondents, it was not considered. Hence this writ petition.

3. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondents.

4. The learned Government Advocate appearing for the respondents submitted that, the first respondent is the competent authority to decide the issue and if the petitioners submitted their individual representations, it will be considered and appropriate orders will be passed, by considering the above Government Order and the subsequent orders passed by the Government.

5. In view of the above submissions and also considering the facts and circumstances of the case, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows:



W.P.No.4523 of 2022

i) The petitioners are directed to make their individual representations before the first respondent, within two weeks from the date of receipt of a copy of this order.

ii) On such representations being made by the petitioners, the first respondent shall consider the same on its own merits, individually.

iii) On such consideration, if the first respondent found that the representations have merits, then, issue appropriate instructions to the third respondent, in the light of the G.O.Ms.No.1488 dated 03.08.1989 and also in the light of the orders passed by this court in W.P.No.3642 of 2011 dated 15.02.2017 and W.P.No.13354, 13355 of 2015 dated 06.12.2018.

iv) If any instruction/communication is received from the first respondent, the third respondent shall communicate the same to the petitioner and all such exercise shall complete within six months from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

**02.03.2022**

Index : Yes / No

Internet : Yes / No



W.P.No.4523 of 2022

WEB COPY

- 1.The Secretary,  
Health and Family Welfare  
Department,  
St.George Fort,  
Chennai.
- 2.The Director,  
Directorate of Medical Education,  
Chennai.
- 3.The Principal,  
Government Medical College,  
Villupuram.

**D.KRISHNAKUMAR. J**



WEB COPY



W.P.No.4523 of 2022

mst

**W.P.No.4523 of 2022**

**02.03.2022**

**2/2**