



WEB COPY



W.P. No.9938 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 13.10.2022

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**W.P. No.9938 of 2022**

Ms.G. Meenalochani

...Petitioner

vs.

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

2. The Director of Medical and Rural Health Services,  
Chennai - 600 006.

3. The Directorate of Medical Education,  
Chennai - 600 010.

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

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus direct the 2nd respondent to dispose the petitioner representation dated 19.04.2021 based on G.O. (3D) No.1687, Health and Family Welfare Department, Chennai, dated 25.11.2016 issued by the 1st respondent with effect from 31.03.2003 with all service and monetary benefits

For petitioner : Mr.P.Rajavel

For respondents : Mr.L.S.M. Hasan Fizal,  
Addl. Govt. Pleader



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## **ORDER**

**WEB COPY** This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to pass final orders on the petitioner's representation, dated 19.04.2021 in the light of G.O. (3D) No.1687, Health and Family Welfare Department, Chennai, dated 25.11.2016 issued by the 1st respondent with effect from 31.03.2003 with all service and monetary benefits, within a time frame to be fixed by this Court.

2. The petitioner was appointed to the post of Junior Assistant under the compassionate ground as a special case on 04.11.1992. The petitioner was terminated from service on 30.04.1996 since concurrence was not issued by the Tamil Nadu Public Service Commission with regard to her regularisation. The petitioner has challenged the termination order dated 30.04.1996 before the Tamil Nadu Administrative Tribunal in O.A. No.2425 of 1996, which was subsequently transferred to this Court and renumbered as W.P. No.17314 of 2006. On 28.09.1996, the petitioner was reinstated into service and she was regularised as on 04.11.1992 based on the 1st respondent's Proceedings, dated 04.06.2013 with a condition to regularise the period of break in service from 30.04.1996 to 27.09.1996. According to the petitioner, the aforementioned period i.e., from



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30.04.1996 to 27.09.1996 was treated as a period of duty vide the Proceedings dated 02.06.2016.

3. According to the petitioner, the 2nd respondent on 13.03.2002 prepared a panel for promotion to the post of Assistant, which was published for the year 2002-2003. The petitioner was included in Sl. No.24B in the panel for the year 2002-2003 published on 13.03.2002.

4. The petitioner made an application to the 4th respondent through proper channel to the 2nd respondent to promote the petitioner to the post of Assistant based on G.O. (3D) No.1687, Health and Family Welfare Department, Chennai, dated 25.11.2016 issued by the 1st respondent with effect from 31.03.2003. Since her application, dated 10.02.2020 and her representation, dated 19.04.2021 have not been considered till date, she has filed this writ petition.

5. Heard Mr.P.Rajavel, learned counsel for the petitioner and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader for the respondents.

6. No prejudice would be caused to the respondents, if the petitioner's representation referred to supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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7. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's application dated 10.02.2020 followed by her representation dated 19.04.2021 for the aforementioned purpose and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of.  
No costs.

**13.10.2022**

Index: Yes/No  
Internet: Yes/No  
Speaking Order/Non-Speaking Order  
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To :  
1. The Secretary to Government,  
Health and Family Welfare Department,  
Chennai - 600 009.

2. The Director of Medical and Rural Health Services,  
Chennai - 600 006.



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