



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6421 of 2022

N.Varalakshmi

... Petitioner

vs.

1.The Director of Medical and
Rural Health Services
DMS Complex
Anna Salai, Chennai-600 006

2.The Joint Director of Health Services
Thoothukudi
Thoothukudi District

3.The Hospital Superintendent
District Headquarters Hospital
Kovilpatti, Thoothukudi District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the Respondent No.1 to step up the pay of the petitioner on par with the pay of the Junior with all consequential benefits by considering the proposal forwarded by the Respondent No.2 vide Na.Ka.No.4854/Ni2/2017, dated 18.03.2019, within the time stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman
for Mr.T.lajapathi Roy

For Respondents : Mr.A.K.Manikkam
Special Government Pleader

O R D E R

The relief sought for in this writ petition is to direct the first respondent to step up the pay of the petitioner on par with the pay of her Junior with all consequential benefits, by considering the proposal dated 18.03.2019 forwarded by the second respondent, within a time stipulated by this Court.

2. The petitioner was working as Staff Nurse and retired from service. She made an application for stepping up of her pay on par with her junior. The said application was forwarded by the second respondent to the first respondent for passing appropriate orders. The grievance of the petitioner is that the said recommendation of the second respondent has not been considered by the first respondent till date.



3. This Court is of the considered opinion that the petitioner is already retired from service on attaining the age of superannuation. Therefore, the first respondent has to forward the papers to the Government for passing appropriate orders. In respect of the retired employees, for fixing of pay on par with the juniors, the Government has to pass necessary orders. If at all any delegation of power has been given to the first respondent, it is for the first respondent to take appropriate decision. In either of the case, the first respondent is directed to look into the proposal submitted by the second respondent on 18.03.2019 and initiate all necessary actions for the disposal of the application submitted by the petitioner for stepping up of her pay with her junior. Such exercise shall be completed as expeditiously as possible.

4. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Director of Medical and
Rural Health Services,
DMS Complex,
Anna Salai, Chennai-600 006.

2.The Joint Director of Health Services,
Thoothukudi,
Thoothukudi District.

3.The Hospital Superintendent,
District Headquarters Hospital,
Kovilpatti, Thoothukudi District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-20323[F] dated
22/04/2022)

+1 CC to M/s.SPL.GP (SR-20072[F] dated 21/04/2022)

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MGJ(28.04.2022) 2P 6C