



W.P.(MD)No.28842 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28842 of 2022

N.Navitha

... Petitioner

Vs.

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

2.The Director of Medical Education,
Kilpauk,
Chennai-600 010.

3.The Dean,
Sivagangai Government Medical College and Hospital,
Sivagangai-630 561.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent i.e., the Secretary to Government, Health and Family Welfare Department, Chennai to pass appropriate orders on the petitioner's representation



W.P.(MD)No.28842 of 2022

dated 13.10.2022 by instructing the Dean, Government Medical College and Hospital, Sivagangai to claim the petitioner's duty salary for the period from 13.05.2013 to 18.06.2014 and make payment to her within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

This writ petition has been filed for a direction to the first respondent to pass appropriate orders on the petitioner's representation dated 13.10.2022 by instructing the Dean, Government Medical College and Hospital, Sivagangai to claim the petitioner's duty salary for the period from 13.05.2013 to 18.06.2014 and make payment to her within a specified time frame that may be fixed by this Court.

2. The case of the petitioner is that she is now serving as Assistant Professor in the Government ESIC Medical College and Hospital,



W.P.(MD)No.28842 of 2022

WEB COPY

Coimbatore. On 13.06.2022, she was relieved from the Government Medical College, Theni. While she was serving as Assistant Professor in the Government Medical College and Hospital, Sivagangai, she was not paid the duty salary from 13.05.2013 to 18.06.2014 on the ground that the Dean has not received the Last Pay Certificate from the Government Hospital, Periyannayakkanpalayam, Coimbatore District. Hence, she made a representation to the first respondent, on 13.10.2022. But, till date, no order was passed. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner, dated 13.10.2022, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.



W.P.(MD)No.28842 of 2022

WEB COPY

4. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 13.10.2022 and pass appropriate 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.

5. With the above direction, this Writ Petition is disposed of. No costs.

22.12.2022

ssb

To

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

2.The Director of Medical Education,
Kilpauk,
Chennai-600 010.

4/6



W.P.(MD)No.28842 of 2022

WEB COPY

3. The Dean,
Sivagangai Government Medical College and Hospital,
Sivagangai-630 561.



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W.P.(MD)No.28842 of 2022

M.DHANDAPANI,J.

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W.P.(MD)No.28842 of 2022

22.12.2022