



W.P.Nos.11031 to 11043 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.11031 to 11043 of 2015

WP.No.11031 of 2015

M.Sundara Raj

... Petitioner

Vs.

1.The State of Tamilnadu
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai District 600 009
2.The Director of Public Health
& Preventive Medicine,
DMS Compound,
Chennai

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to retrospectively promote the petitioner in the cadre of Health Inspector with effect from 01.02.1979 and consequently regularise his service in the above post with all monetary benefits by extending the benefits of G.O.(D) No.359 Health and Family Welfare Department dated 26.04.2004 which is covered under order dated 13.07.2007 in



W.P.Nos.11031 to 11043 of 2015

WP.No.29794 of 2005 etc and confirmed by the Hon'ble Supreme Court of India in Civil Appeal No.6660 of 2011 and batch dated 25.02.2015.

For Petitioner
in all WP's : Mr.R.Prem Narayan

For Respondents
in all WP's : Mr.S.Silambanan,
Additional Advocate General
Assisted by
Mr.Yogesh Kannadasan,
Special Government Pleader

COMMON ORDER

These writ petitions have been filed seeking for issuance of Writ of Mandamus directing the respondents to retrospectively promote the petitioners in the cadre of Health Inspector with effect from the date on which the Petitioners' juniors/counter-parts have been granted monetary benefits and consequently, regularize their services in the above post with all monetary benefits by extending the benefits of G.O.(D)No.359 Health and Family Welfare Department dated 26.04.2004, which is covered under order dated 13.07.2007 in W.P.No.29794 of 2005 etc., batch and confirmed by the Hon'ble Supreme Court of India in Civil Appeal Nos.6660 of 2011 etc., batch, dated 25.02.2015.



W.P.Nos.11031 to 11043 of 2015

2. As the issue involved in all these writ petitions is one and the same, they are taken up for disposal by a common order.

3. When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioners that the petitioners have restricted their claim regarding the promotion, which has to be considered by the authorities in terms of G.O.(D).No.359 Health and Family Welfare Department dated 26.04.2004, if it is applicable. He further submitted that the similar prayer sought for by other petitioners had already been considered by this Court on 26.08.2019 in WP.Nos.18659 to 18672 of 2015. He also submitted that the authorities may be directed to consider the request of the petitioners, and take a decision within a period of four weeks from the date of receipt of a copy of this order, as the writ petitions are pending from the year 2015.

4. Since the prayer sought for in these writ petitions has been restricted, in view of the Government Order in G.O.(D).No.359 Health and Family Welfare Department, dated 26.04.2004 and also in the light



W.P.Nos.11031 to 11043 of 2015

WEB COPY

of the order of a Division Bench of this Court dated 13.07.2007 made in W.P.Nos.29794 of 2005, etc., batch and the judgment dated 25.02.2015 passed by the Hon'ble Supreme Court of India in Civil Appeal Nos.6660 of 2011 etc., batch, the Respondents herein shall consider the representation made by the Petitioners herein and pass appropriate orders on the same within a period of twelve (12) weeks from the date of receipt of a copy of this Order, if the representation had already not been disposed of.

5. Accordingly, all these Writ Petitions are disposed of. There shall be no order as to cost.

26.07.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

lok



WEB COPY



W.P.Nos.11031 to 11043 of 2015

To

1. Secretary to Government,
The State of Tamilnadu
Health and Family Welfare Department,
Fort St. George,
Chennai District 600 009
2. The Director of Public Health
& Preventive Medicine,
DMS Compound,
Chennai
3. The Government Advocate,
Madras High Court



WEB COPY



W.P.Nos.11031 to 11043 of 2015

G.K.ILANTHIRAIYAN, J.

lok

W.P.Nos.11031 to 11043 of 2015

26.07.2023