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W.P. Nos. 4239 and 9033 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. Nos. 4239 and 9033 of 2020

and

W.M.P. No. 10988 of 2020

M.Padmanaban

... Petitioner in both W.Ps.

-VS-

1. The State of Tamil Nadu,
rep. by its Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600009.

2. The Director of Public Health and Preventive Medicine,
No. 359, Anna Salai, DMS Complex,
Teynampet, Chennai – 600006.

3. M.Elango

... Respondents in both W.Ps

Prayer in W.P. No. 4239 of 2020:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent in his proceedings having Ref. No. 101145/MP2/S3/2010, dated 29.07.2011 by promoting the Petitioner retrospectively as Block Health Supervisor with effect from 07.11.2008 and give all consequential benefits of higher salary and promotion seniority in the panel of Technical Personal Assistant in the Department of Public Health and Preventive Medicine in compliance with the order of the Division Bench of this Court dated 23.07.2010



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in W.P. No. 17578 of 2008 filed by the Petitioner and other connected Writ Petition.

Prayer in W.P. No. 9033 of 2020:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the letter dated 03.03.2020 of the Second Respondent in R. No. 82058/MP2/S1/2018 and quash the same and direct the Second Respondent to issue proceedings altering the date of promotion of the Petitioner as Block Health Supervisor from 11.07.2017 to 07.11.2008 on par with M.Elango, who is junior to the Petitioner in the cadre of Health Inspector Grade-I in conformity with the proceedings of the Second Respondent dated 29.07.2011 having Ref. No. R. NO. 101145/MP2/S3/2010 passed in the case of M.Elango giving him promotion retrospectively as Block Health Supervisor w.e.f. 07.11.2008 in compliance with the order of the Division Bench of this Court dated 23.07.2010 in W.P. No. 17578 of 2008 filed by the Petitioner and other connected Writ Petitions and give all consequential benefits of higher salary and promotion seniority in the panel of Technical Personal Assistant in the Department of Public Health and Preventive Medicine to the Petitioner.

For Petitioner in
both W.Ps : Mrs. C.Uma

For Respondents
in both W.Ps : Mrs. R.Anitha,
Special Government Pleader
(for R1 & R2)



W.P. Nos. 4239 and 9033 of 2020

COMMON ORDER

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Heard Mrs. C.Uma, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. These Writ Petitions revolve on the fixation of seniority of the Petitioners in the promotional post of Block Health Supervisor in the service of the Respondents.

3. It has been brought to notice that after the filing of these Writ Petitions, the Second Respondent by Proceedings in R. No. 3273657/MP2/S1/2022 dated 25.10.2022 has issued order of promotion to the Petitioner with effect from 01.05.2010 and its copy has been placed on record. In view of the same, Learned Counsel for the Petitioner submits that no further orders required in these Writ Petitions and she has also made an endorsement to that effect in the court record. It is needless to add here that it would not preclude the Petitioner, if he has any further grievance, from working out his rights before proper forum in the manner recognized by law.



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Consequently, the connected Miscellaneous Petition is closed. No costs.

05.04.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 27.06.2023.

To

1. The Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600009.
2. The Director of Public Health and Preventive Medicine,
No. 359, Anna Salai, DMS Complex,
Teynampet, Chennai – 600006.



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P.D. AUDIKESAVALU, J.

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