



W.P.No.21564 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.04.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.21564 of 2019

Senthilkumar

... Petitioner

Vs.

1. The Principal Secretary,
Department of Health and Family Welfare,
Secretariat, St. George Fort
Chennai

2. The Director
Indian Medical and Homeopathy Department,
Arumbakkam,
Chennai

3. The District Siddha Medical Officer,
District Siddha Medical Office,
Dindigul District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider petitioner's representation dated 15.05.2018 within a time stipulated and pass appropriate orders granting equal wage for equal work on par with Assistant Medical Officer (Siddha) on regular basis.



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For Petitioner : Mr.S.Mohamed Uduman for
Mr.R.Vijay

For Respondents : Mr.M.Shahjagan for R1
Special Government Pleader
For R2 and R3 – Served
No appearance

ORDER

The present Writ Petition has been filed for an issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider petitioner's representation dated 15.05.2018 within a stipulated time and pass appropriate orders granting equal wage for equal work on par with Assistant Medical Officer (Siddha) on regular basis.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the 1st respondent and perused the documents placed on record.



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3. According to the petitioner, he was registered as a medical practitioner in Tamilnadu Siddha Medical Council under a Certificate No.210 in the year 1998 at Chennai. After joining as a consultant as per contractual terms, few months later, based on the request of the petitioner, the 2nd respondent vide order dated 09.02.2011 passed an order granting permission to join in Government primary health centre at Thirumazhisai, Tiruvallur District. Further, the job chart, registers and records maintained by the medical officers and rendering service under different schemes are equal, but there is a discrepancy in payment of wage, hence the same is violating fundamental right guaranteed under Constitution of India, hence this petition.

4. The learned Special Government Pleader appearing for the 1st respondent, on instructions, from the officer of the respondent/Department submitted that eight weeks time may be granted to the 1st respondent to consider the petitioner's representation dated 15.05.2018.

In the light of the above without expressing any opinion on the merits



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of the petitioner's representation dated 15.05.2018, there shall be a direction to the 1st respondent to consider and pass appropriate orders on representation of the petitioner dated 15.05.2018 by taking note of the subsequent development in the medical field and the State and Central Government Orders prevailing as of now, within period of eight weeks from the date of receipt of copy of this order. No costs.

20.04.2023

Index : Yes/No
Internet : Yes/No
Speaking order / non speaking order

ssd

To

1. The Principal Secretary,
Department of Health and Family Welfare,
Secretariat, St. George Fort
Chennai
2. The Director
Indian Medical and Homeopathy department,
Arumbakkam,
Chennai
3. The District Sidhha Medical Officer,
District Sidhha Medical Office,
Dindigul District



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V.BHAVANI SUBBAROYAN, J.,

ssd

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