



W.P.No.35121 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35121 of 2023

- 1.S.Baskaran
S/o.Settu
- 2.M.Vinayagam
S/o.Munusamy
- 3.D.Manikandan
S/o.Dhasarathan
- 4.K.Gandhi
S/o.Krishnan
- 5.M.Ajith Kumar
S/o.Mani
- 6.J.Suresh Babu
S/o.Janakiraman
- 7.A.Vignesh
S/o.Arumugam
- 8.M.Prakash
S/o.Murugesan
- 9.M.Prakash
S/o.Murugan



W.P.No.35121 of 2023

10.P.Vimalkumar
S/o.Panneerselvam

11.K.Ukishwaran
S/o.Kugan

12.M.Venkatesan
S/o.Munusamy

...Petitioners

Vs

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

2.The District Collector of Tiruvannamalai,
73CC+7WV, Vengikkal,
Tiruvannamalai - 606 604.

3.The Director,
Public Health and Preventive Medicines,
65, 75, Main Road, Chokkalingam Nagar,
Teynampet, Chennai - 600 006.

4.The Deputy Director of Health Services,
No.9, Old Hospital Street,
Giritharanpettai, Thiruvandhipuram,
Cheyyar - 604 407.
Tiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to pay the salaries of the petitioners from January 2021 to July 2021, totaling for 7 months the amounts as detailed below



W.P.No.35121 of 2023

Sl. No.	List Sl.No.	Name of the PHC	Name of the Individual	Amount due to be paid
1.	5	Thozhupedu	S.Baskaran	Rs.1,46,732-00
2.	8	Anaibogi	K.Vinayagam	Rs.1,46,732-00
3.	9	Veerambakkam	D.Manikandan	Rs.1,46,732-00
4.	11	Kamakkur	K.Gandhi	Rs.1,46,732-00
5.	14	Anaibogi	M.Ajithkumar	Rs.1,46,732-00
6.	16	Pernamallu	J.Sureshbabu	Rs.1,46,732-00
7.	20	Nallur	A.Vignesh	Rs.1,46,732-00
8.	21	Theallar	M.Prakash	Rs.1,46,732-00
9.	24	Theallar	M.Prakash	Rs.1,46,732-00
10.	26	Thatchur	P.Vimalkumar	Rs.1,46,732-00
11.	29	Ulunthai	K.Ukishwaran	Rs.1,46,732-00
12.	32	Thozhupedu	M.Venkatesan	Rs.1,46,732-00

with appropriate interest for the period from 01.01.2021 to 21.07.2021 as per letter dated 30.08.2022 made in Na.Ka.No.3481/A4/2020 and letter dated 07.10.2023 made in Na.Ka.No.3481/A4/202 of fourth respondent addressed to the third respondent.

For Petitioners : Mr.R.Agilesh

For Respondents : Mr.P.Ganesan
Government Advocate

ORDER

With the consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.No.35121 of 2023

WEB COPY

2. Heard Mr.R.Agilesh, learned counsel for the petitioners and Mr.P.Ganesan, learned Government Advocate, who accepts notice for Respondents 1 to 4.

3. The limited prayer sought for in the present Writ Petition is for a direction to the respondents to pay the salaries of the petitioners from January 2021 to July 2021, totalling for 7 months with appropriate interest for the period from 01.01.2021 to 21.07.2021 as per letter dated 30.08.2022 made in Na.Ka.No.3481/A4/2020 and letter dated 07.10.2023 made in Na.Ka.No.3481/A4/202 of fourth respondent addressed to the third respondent. The details of the Primary Health Centre where the petitioners were working and the amount to be paid to each individual are as follows:

Sl.N o.	List Sl.N o.	Name of the PHC	Name of the Individual	Amount due to be paid
1.	5	Thozhupedu	S.Baskaran	Rs.1,46,732-00
2.	8	Anaibogi	K.Vinayagam	Rs.1,46,732-00
3.	9	Veerambakkam	D.Manikandan	Rs.1,46,732-00
4.	11	Kamakkur	K.Gandhi	Rs.1,46,732-00



W.P.No.35121 of 2023

5.	14	Anaibogi	M.Ajithkumar	Rs.1,46,732-00
6.	16	Pernamallu	J.Sureshbabu	Rs.1,46,732-00
7.	20	Nallur	A.Vignesh	Rs.1,46,732-00
8.	21	Thellar	M.Prakash	Rs.1,46,732-00
9.	24	Thellar	M.Prakash	Rs.1,46,732-00
10.	26	Thatchur	P.Vimalkumar	Rs.1,46,732-00
11.	29	Ulunthai	K.Ukishwaran	Rs.1,46,732-00
12.	32	Thozhupedu	M.Venkatesan	Rs.1,46,732-00

4. This Court is of the view that such a claim requires to be considered by the concerned respondent and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the petitioners are granted liberty to give a representation to the respondents herein, ventilating their grievances with a consequential direction to the respondents to consider the same within a stipulated time, the ends of justice could be secured.

5. In the light of the above observations, the petitioners are granted liberty to give a representation to the respondents, ventilating their grievances and on receipt of the same, the respondents shall consider the same on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of



W.P.No.35121 of 2023

WEB COPY

its views with regard to the merits of the claim made by the petitioners and it is open to the respondents to consider it on its own merits.

6. The writ petition is disposed of with the above direction. No costs.

19.12.2023

Index: Yes/No

Speaking order/Non-speaking order

gpa



W.P.No.35121 of 2023

To
WEB COPY

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort Saint George,
Chennai - 600 009.
- 2.The District Collector of Tiruvannamalai,
73CC+7WV, Vengikkal,
Tiruvannamalai - 606 604.
- 3.The Director,
Public Health and Preventive Medicines,
65, 75, Main Road, Chokkalingam Nagar,
Teynampet, Chennai - 600 006.
- 4.The Deputy Director of Health Services,
No.9, Old Hospital Street,
Giritharanpettai, Thiruvandhipuram,
Cheyyar - 604 407.
Tiruvannamalai District.



WEB COPY



W.P.No.35121 of 2023

M.S.RAMESH,J.

gpa

W.P.No.35121 of 2023

19.12.2023