



W.P(MD)No.26238 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26238 of 2023

- 1.A.S.A.Nivedita
- 2.D.N.Sharmila
- 3.S.Sugadev
- 4.P.Sulochana
- 5.D.Vasanth Kalyani
- 6.M.Sumathi
- 7.K.J.Venkateswaran
- 8.R.Venkataramanan
- 9.C.Vignesh
- 10.K.Vignesh
- 11.R.Vinoth Kannan
- 12.V.T.Sathish
- 13.S.Karthikeyan
- 14.D.Nagasutha
- 15.J.Rekha



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16.P.Saravana Sankar

17.A.Prabhu

18.V.Manikandan

19.N.Anuradha

20.K.Seerala Boopathy

21.J.Arockia Michael Raja

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by the Principal Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 009.

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

3.The Dean,
Madurai Medical College,
Madurai.

4.The Dean,
Virudhunagar Medical College,
Virudhunagar.

5.The Dean,
Sivagangai Medical College,
Sivagangai.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to sanction and release the salary, allowances and other attendant benefits forthwith in terms of G.O.(MS).No.293, Health and Family Welfare (A1) Department, dated 18.06.2021 in favour of the petitioners along with the arrears from the date of Government order.

For Petitioners : Mr.S.Venkatasubramanian

For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed seeking a Mandamus to direct the respondents to sanction and release salary, allowances and other attendant benefits in terms of G.O.Ms.No.293, Health and Family Welfare (A1) Department, dated 18.06.2021.

2. The writ petitioners are Assistant Surgeons with super speciality, working in various medical colleges. According to the petitioners, the 1st respondent has issued of G.O.Ms.No.293, Health and Family Welfare (A1) Department, dated 18.06.2021 conferring various benefits to the writ petitioners/Doctors. The petitioners as well as their associations have made several representations to the officials concerned



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for implementing the said Government Order. However, there was no response from the concerned authorities. One of the doctors, A.Saravana Kumar had filed W.P(MD)No.26630 of 2022 with the same prayer and this Court was pleased to allow the said writ petition on 26.10.2022. With a similar prayer, certain doctors had approached this Court in W.P(MD)Nos.8392 and 14397 of 2023 which was allowed by this Court on 28.06.2023. Another batch of 5 doctors have approached this Court in W.P(MD)No.23466 of 2023 and the said writ petition was allowed on 26.09.2023. In all these writ petitions, the authorities have been directed to sanction and release the writ petitioner's salary, allowances and other attendant benefits in accordance with of G.O.Ms.No.293, Health and Family Welfare (A1) Department, dated 18.06.2021.

3. There is no dispute that of G.O.Ms.No.293, Health and Family Welfare (A1) Department, dated 18.06.2021 confer several monetary and other benefits to the writ petitioner and the same is applicable to the writ petitioners also. However, the concerned respondents, namely the respondents 3 to 5 have not evinced any interest to confer the said benefits upon the writ petitioners.



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4. In view of the above said facts, the respondents 3 to 5 are directed to confer the said benefits upon the writ petitioners in terms of G.O.Ms.No.293, Health and Family Welfare (A1) Department, dated 18.06.2021 within a period of six (6) weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands allowed to the extent as stated above. No costs.

02.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

1.The Principal Secretary,
The State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai-600 009.

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



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3.The Dean,
Madurai Medical College,
Madurai.

4.The Dean,
Virudhunagar Medical College,
Virudhunagar.

5.The Dean,
Sivagangai Medical College,
Sivagangai.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.26238 of 2023

Dated:
02.11.2023