



W.P(MD)No.27617 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27617 of 2023

and

W.M.P(MD)No.23725 of 2023

J.Girinath Venkar

... Petitioner

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.

... Respondents

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.



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For Petitioners : Mr.V.Janakiramulu

For Respondents : Mr.N.GA.Natraj
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 petitioner is Assistant Surgeon 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 petitioner as well as his association have made several representations to the officials concerned 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



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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 petitioner also. However, the concerned respondent, namely the 3rd respondent has not evinced any interest to confer the said benefits upon the writ petitioner.

4. In view of the above said facts, the 3rd respondent is directed to confer the said benefits upon the writ petitioner 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.



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5. With the above said observations, this Writ Petition stands allowed to the extent as stated above. No costs. Consequently, connected Miscellaneous Petition is closed.

22.11.2023

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.

3.The Dean,
Madurai Medical College,
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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.27617 of 2023

Dated:
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