



W.P(MD)No.27945 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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- 1.C.Sankaran
- 2.M.Sukumaran
- 3.S.Karthikeyan
- 4.V.S.Aparnna
- 5.E.Anitha
- 6.R.Sudalaimuthu
- 7.A.Asghar Ali
- 8.H.Ansar Fathima
- 9.P.Manickavasagam
- 10.N.V.Ganga
- 11.A.Vinoj
- 12.RitaHepsi Rani
- 13.N.M.S.Ahamed
- 14.V.Uma



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15.S.Mangaiyarkarasi

16.A.Larif

17.M.Sadagopan

18.Saravanaraja

19.Subhakanesh

20.J.Micheal Senraj

21.R.Ayisha Hafsa Sherin

22.E.A.Esther

23.S.Muthuraj

24.V.Karthikeyan

25.S.Michael Rajam Geetha

26.C.Arjunan

27.Sathyadevi

28.M.Seenivasan

29.V.Kandasamy

30.T.Manoharan

31.R.Jeyakumar

32.M.Prem Nivas

33.A.Abirami

... Petitioners



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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,
Tirunelveli Medical College,
Tirunelveli.
- 4.The Dean,
Tuticorin Medical College,
Tuticorin.
- 5.The Deputy Director of Health Services,
Tuticorin,
Tuticorin District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct 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.



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For Petitioners : Mr.T.Selvan

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 the salary, allowances and other attendant benefits to the petitioners 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 first respondent has issued G.O(Ms)No.293, 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 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



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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 salary, allowances and other attendant benefits in accordance with G.O(Ms)No.293, dated 18.06.2021.

3. There is no dispute that G.O(Ms)No.293, dated 18.06.2021 confer several monetary and other benefits to the writ petitioners 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.

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. There shall be no order as to costs.

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NCC : Yes / No

Index : Yes / No

Internet : Yes

BTR

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,
Tirunelveli Medical College,
Tirunelveli.
- 4.The Dean,
Tuticorin Medical College,
Tuticorin.
- 5.The Deputy Director of Health Services,
Tuticorin,
Tuticorin District.



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R.VIJAYAKUMAR, J.

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