



W.P.(MD)No.29476 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.12.2023

CORAM

THE HONOURABLE MR.JUSTICE **R.VIJAYAKUMAR**

W.P.(MD)No.29476 of 2023

Dr.R.Mathankumar

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by the Principal Secretary,
Health and Family Welfare Department,
For St. George, Chennai 600 010.

2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai- 600010.

3.The Dean,
Madurai Medical College, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of 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 petitioner along with the arrears from the date of Government order.



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For Petitioner :Mr.S.Venkatasubramaniyan
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 the salary, allowances and other attendant benefits to the petitioner in terms of G.O(Ms)No.293, Health and Family Welfare (A1) Department, dated 18.06.2021.

2. The Writ Petitioner is an Assistant Surgeon with super speciality, working in the third respondent Medical College. According to the petitioner, the first respondent has issued G.O(Ms)No.293, dated 18.06.2021, conferring various benefits to the Writ Petitioner / Doctor. The petitioner as well as his 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



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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 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 Petitioner and the same is applicable to the Writ Petitioner also. However, the third respondent has not evinced any interest to confer the said benefits upon the Writ Petitioner.

4. In view of the above said facts, the third 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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WEB COPY 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.

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

13.12.2023

cmr

To

1.The Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
For St. George, Chennai 600 010.

2.The Director of Medical Education,
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Kilpauk, Chennai- 600010.

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R.VIJAYAKUMAR, J.

cmr

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