



W.P(MD)No.30021 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30021 of 2023

1.A.Manju

2.S.Anwar Sathik

3.J.Merin Sheena

... Petitioners

Vs.

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

2.The Director of Medical Services,
No.359, DMS Complex,
Tenampet, Anna Salai,
Chennai-600 006.

3.The Secretary,
Government of Tamil Nadu,
Finance Department,
Secretariat, Chennai.

4.The Joint Director of Health Services,
Kanyakumari District,
Nagercoil,
Kanyakumari District.

... 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 herein to sanction and disburse the admissible increments, allowances and benefits forthwith to the petitioners as per G.O. (Ms). No.293 Health and Family Welfare (A1) Department dated 18.06.2021 with arrears w.e.f. the date issuance of G.O.(Ms). No.293 Health and Family Welfare (A1) Department dated 18.06.2021.

For Petitioners : Mr.S.Anwar Sameem

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a Mandamus to direct the respondents to sanction and disburse the admissible increments, allowances and 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 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



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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 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 third and fourth respondents 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 third and fourth respondents 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.

18.12.2023

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

To

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

2.The Director of Medical Services,
No.359, DMS Complex,
Tenampet, Anna Salai,
Chennai-600 006.



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3. The Secretary,
Government of Tamil Nadu,
Finance Department,
Secretariat, Chennai.
4. The Joint Director of Health Services,
Kanyakumari District,
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Kanyakumari District.



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R.VIJAYAKUMAR, J.

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