



W.P(MD)No.30561 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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1.S.Bethsy Priscilla

2.M.Vanitha

3.V.Manorema

4.E.Manimekalai

5.G.Nagalekshmi

6.P.Muthu Prabha

7.R.Mercy Rodrigo

8.H.Vijayalakshmi

9.Samuel George

10.S.Sharath Kumar

11.V.Mathana

12.N.Vijayarahavan

13.C.Deepan

14.K.B.Shree Priya



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15.V.Sumathi

16.J.Jerome

17.D.Palarama Krishnan

18.A.Jeya Jancy Selvi Ratnam

19.P.Praveen Kumar

20.K.Dhanalakshmi

21.M.Senthil Kanitha

22.G.Sangamithra

23.B.Arumugaselvi

24.G.Angel Vellut

25.T.Muthukumar

26.Y.Sukirtharaj

27.E.Kaliammal

28.P.Anish

29.P.Anitha

30.Arjun

31.N.Joshua Joy Samuel

32.Rakesh Fernando

33.S.Mohammed Abdul Majeeth



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34.P.Dhanabalan

35.K.Kamal Kumar

36.V.Dhanalakshmi

37.G.Saranya

38.Kala Mutharasi

39.F.R.Jenitta Little Sophy

40.Indra Priyadharshini

41.S.Nambirajan

42.R.Lakshmi Devi

43.R.Kalarani

44.J.Athisayamani

45.K.Sunitha

46.J.Bright Merlin

47.I.Mohamed Rafeek

... Petitioners

Vs.

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



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

3.The Dean,
Thoothukudi Medical College,
Thoothukudi.

4.The Dean,
Tirunelveli Medical College,
Tirunelveli.

5.The Dean,
Kanniyakumari Medical College,
Kanniyakumari.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to implement the G.O(Ms)No.293, Health and Family Welfare (A1) Department, dated 18.06.2021 to enable the petitioners to get their monetary benefits as per said Government Order every month from the date of the issuance of the G.O.

For Petitioners : Mr.T.Augustine Ebenezer
For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed seeking a Mandamus to direct the respondents to get the petitioners' monetary 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 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,



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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.

21.12.2023

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.



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- 3.The Dean,
Thoothukudi Medical College,
Thoothukudi.
- 4.The Dean,
Tirunelveli Medical College,
Tirunelveli.
- 5.The Dean,
Kanniyakumari Medical College,
Kanniyakumari.



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R.VIJAYAKUMAR, J.

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