



W.P(MD)No.30668 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30668 of 2023

- 1.J.Bharath
- 2.S.Jawahar
- 3.R.Raja Sekaran
- 4.S.Makesh Ram
- 5.P.Shanmuganathan
- 6.D.Muthukumaran
- 7.V.Gnanasekaran
- 8.R.Balamurugan
- 9.B.Kannan
- 10.A.Thomas Edwin Raj
- 11.P.Senthilarasu
- 12.C.Thomas Kingsley
- 13.R.Niranjani
- 14.C.Bagavathi Priyadharshini



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15.B.Aruna Devi

16.L.Chairman Muthu Prem Kumar

17.K.Riswana Fathima

18.J.Siva Somana

19.L.Sivasankari

20.L.Sriram

21.A.Akbarsha

22.S.Krishna Parvathy

23.R.Sumathi

24.L.Alen Binny

25.R.Venkatesh

26.S.Dinesh Raj

27.S.Mageswaran

28.V.A.Prabhu

29.Balakannan

30.S.Marimuthu

31.N.Kandasamy

32.Vijaya Soruban

33.P.Kannan



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34.Y.Kingsly Jebasingh

35.G.John Nickson

... Petitioners

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,
Thoothukudi Medical College,
Thoothukudi.

4.The Dean,
Kanyakumari Medical College,
Kanyakumari.

... 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.

For Petitioners : Mr.T.Selvan



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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 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 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 and 4 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 and 4 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



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To

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- 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,
Thoothukudi Medical College,
Thoothukudi.
- 4.The Dean,
Kanyakumari Medical College,
Kanyakumari.



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R.VIJAYAKUMAR, J.

BTR

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