



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

W.P.No.1657 of 2021

Dr.J.Jayakumar

... Petitioner

Vs.

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai 600 009.

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

3.The Director,
Directorate of Medical and Rural Health Services,
Teynampet, Chennai 600 006.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to act upon the representation of the petitioner dated 12.10.2020 in accordance with law and give effect to the demands thereto.



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

For Petitioner : Mr.T.Gowthaman, Senior Counsel for
Mr.B.Pachaiyappan
For Respondents : Mr.Ramanlal, AAG assisted by
Mr.Yogesh Kannadasan, SGP

COMMON ORDER

These Writ Petitions have been filed seeking issuance of a Writ of Mandamus to direct the respondents to act upon the representations of the petitioners given on various dates in accordance with law and give effect to the demands thereto.

2. The petitioners are working as Assistant Surgeons. The Doctor's Association has been making representations to the Government seeking revision of pay by citing the better pay for doctors functioning under the Central Government Health Scheme. So the disparity is said to have been addressed by way of the issuance of G.O.Ms.No.354, Family and Health Welfare D2 Department dated 23.10.2009. The said G.O. has also introduced Assured Career Progression. However, the grievance of the petitioners is that G.O.Ms.No.354, Family and Health Welfare D2 Department dated 23.10.2009 has not been implemented in its letter and



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

spirit. In view of the representation sent by the Doctors Association to the Government, the Government had constituted a Working Committee consisting of the respondents to be chaired by a person not below the rank of the Additional Secretary to the Government to deal with the issue.

3. In fact, the Committee, comprising the Directors of Medical and Rural Health Services, Public Health and Preventive Medicine and Medical Education, has submitted its report on 17.2.2021 with regard to the above subject.

1. Mr. Ramanlal, the learned Additional Advocate General for the respondents, has submitted that the department has actively considering the implementation of the recommendation of the said Committee and granting certain other benefits as well. In view of the then-model code of conduct due to the Legislative Assembly of 2020–2021, further action has not been taken so far.

2.



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

WEB COPY

5. Since the petitioners' representations are pending for a long time and it is seen to have withheld due to the then Legislative Assembly Election, the respondents are now at liberty to consider the representations of the petitioners.

6. With the above observations, these Writ Petitions are disposed and the respondents are directed to consider the representations of the petitioners in the light of the recommendation given by the Working Committee and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. No costs.

01.02.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

WEB COPY

To

- 1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai 600 009.
- 2.The Director,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.
- 3.The Director,
Directorate of Medical and Rural Health Services,
Teynampet, Chennai 600 006.



WEB COPY



W.P.Nos.1657, 1660, 1663, 1669, 1672 & 1676 of 2021

R.N.MANJULA, J.

gsk

**W.P.Nos.1657, 1660, 1663, 1669,
1672 & 1676 of 2021**

01.02.2024