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W.P.Nos.5256, 5258, 5259 and 5260 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.5256, 5258, 5259 and 5260 of 2024

- | | |
|---------------------|---|
| 1. J.Parithi Stalin | ...Petitioner in W.P.No.5256 of 2024 |
| 2. A.Gideon | ...Petitioner in W.P.No.5258 of 2024 |
| 3. Srimalaivalan | ...Petitioner in W.P.No.5259 of 2024 |
| 4. Vibin Jose | ...Petitioner in W.P.No.5260 of 2024 |

-Vs-

1. The Principal Secretary,
Health and Family Welfare Department,
Fort St.George,
Secretariat, Chennai – 600 009.
 2. The Director of Medical Education and Research,
Kilpauk,
Chennai – 600 010.
 3. The Director,
Government Institute of Rehabilitation Medicine,
K.K.Nagar,
Chennai – 600 083.
- ... Respondents **in all W.Ps**

Common Prayer : Writ Petitions filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the representation made by the petitioner dated 20.09.2023 to upgrade the post of Prosthetic Craftsman into the recognized post of Prosthetic Technician Gr II with a band of Rs.9300 -34800 plus GP4200.

In all W.Ps



W.P.Nos.5256, 5258, 5259 and 5260 of 2024

For Petitioners : Mr.A.Rajakumar

For Respondents : Mr.G.Ameedius
Government Advocate

COMMON ORDER

The issue in all the writ petitions are common in nature. Therefore, this Court is inclined to pass common order.

2. These writ petitions have been filed for direction directing the first respondent to consider the representation made by the petitioners dated 20.09.2023 to upgrade the post of Prosthetic Craftsman into the recognized post of Prosthetic Technician Gr II with a band of Rs.9300 -34800 plus GP4200.

3. Heard the learned counsel on either side and perused the materials available on record.

4. The petitioners were appointed as Prosthetic Craftsman in the year 2019 through direct recruitment and they were appointed in the office of the third respondent. Thereafter, their services were subsequently regularized in the year 2023. Their pay band is Rs.5200-20000+GP2000. The work and responsibility for working as Prosthetics Craftsman are evaluation of patients,



W.P.Nos.5256, 5258, 5259 and 5260 of 2024

design, preparation, fabrication, fitting and supply of various Prosthetic and Orthotic other aids and appliances rehabilitation professional services to the Loco-motor disabled persons affected with neuro, skeletal, muscular, vascular birth disorder and treat/rehabilitate them to increase mobility, re-alignment and correction of deformity, increase muscle power, protect the affected parts of the body. The qualification for the post of Prosthetic Technician Gr-II is Diploma in Prosthetics and Orthotics engineering with a pay band of Rs.9300-34800+GP4200. The work and responsibilities are also same and equal to the post of Prosthetics Craftsman.

5. Further, the Government made appointment to the post of Prosthetics Technician Gr-II through employment exchange vide G.O.Ms.No.2048/1971 and subsequently, the Government filled up the post by direct recruitment by G.O.Ms.No.51/2011 as Prosthetics Craftsman. Therefore, the re-designation of the post with low pay is illegal and unconstitutional and as such, the petitioners submitted representations to the first respondent.

6. Considering the above facts and circumstances of the case, without expressing any opinion on the merits of the writ petition, the first respondent is directed to consider the representation submitted by the petitioners dated



W.P.Nos.5256, 5258, 5259 and 5260 of 2024

20.09.2023 and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, these writ petitions are disposed of. There shall be no order as to costs.

01.03.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1. The Principal Secretary,
Health and Family Welfare Department,
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Secretariat, Chennai – 600 009.
2. The Director of Medical Education and Research,
Kilpauk,
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G.K.ILANTHIRAIYAN. J,



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