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W.P.No.12209 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12209 of 2024

Dr.G.Prakash

.. Petitioner

Versus

1. The Additional Chief Secretary to Government,
Health & Family Welfare (A2) Department,
Fort St. George, Chennai - 9.

2. The Additional Chief Secretary to Government,
Finance (PC) Department,
Fort St. George, Chennai - 9.

3. The Director of Public Health &
Preventive Medicine, Chennai.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents to extend the benefits of G.O.Ms.No.236, Finance (PC) Department, dated 12.07.2018 to the petitioner herein based on the proposal sent by the 3rd respondent in Proc.R.No.73380/E1/S4/2018, dated 20.06.2019 on the basis that the petitioner was drawing a scale of pay of Rs.12000-16500 and retired prior to 23.10.09 within a reasonable time.

For Petitioner : Mrs.R.Deepika Sonali

For Respondents : Mr.E.Sundaram,
Government Advocate
for RR-1 and 3



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: Mr.Azizhan,
Government Advocate for R2

ORDER

This Writ Petition is filed for a direction to the respondents to extend the benefits of G.O.Ms.No.236, dated 12.07.2018 to the petitioner based on the proposals sent by the third respondent in his proceedings, dated 20.06.2019 on the basis that the petitioner was drawing a scale of pay of Rs.12000-16500 and retired prior to 23.10.2009.

2. When the matter came up for hearing, *Mrs.R.Deepika Sonali*, learned Counsel for the petitioner, *Mr.E.Sundaram*, learned Government Advocate for the respondent Nos.1 and 3 and *Mr.Azizhan*, learned Government Advocate for the second respondent are ad idem that the matter has already been dealt with by this Court in a batch of Writ Petitions in W.P.No.7905 of 2020 etc., by the order, dated 12.12.2023. As per the said order, the cases have been classified into three types. Similar prayers of the petitioner were categorised as type - II and in respect of type-II, the following relief was granted :-

"(ii) Type II - W.P.Nos.10130 of 2020, 7905, 7923, 8985, 8988, 8989, 8990, 8991, 8992, 8993, 8994, 8996, 9004, 9080, 9081, 9082, 9083, 9085, 9123, 9124, 9126, 9128, 9171, 9172, 9173, 9174, 9175, 9178, 9180, 9181, 9183, 9184, 9187, 9189, 9190, 9198, 9199, 9200, 9202, 9203,



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9212, 9234, 9237, 9238, 9241, 9242, 9244, 9246, 9247, 9250, 9254, 9313, 9315, 9316, 9317, 9367, 9369, 9371, 9407, 9408, 9409, 9410, 9411, 9412, 9413, 9414, 9415, 9416, 9464, 9466, 9467, 9468, 9470, 9477, 9479, 9494, 9495, 9496, 9513, 9514, 9516, 9517, 9520, 9522, 9523, 9525, 9527, 9529, 9530, 9531, 9532, 9549, 9633, 9813, 9815, 9860, 9862, 10789, 10794, 10811, 10813, 10815, 10950, 10953, 10954, 10966, 11065, 11888, 11889, 11890, 12302, 12310, 12316, 12675, 13049, 13837, 13838, 13841, 13843, 13844 and 13409 of 2020 are disposed by directing the respondents to consider and pass orders as to the entitlement of these petitioners depending upon the outcome of the orders that is going to be passed in respect of G.O.Ms.No.236, Finance Department, dated 12.07.2018."

3. Therefore, this Writ Petition is disposed of by directing the respondents to consider the case of the petitioner in terms of the said order, dated 12.12.2023 in W.P.No.7905 of 2020 etc., considering this case also as type-II. There shall be no order as to costs.

03.06.2024

Neutral Citation : no
grs

To

1. The Additional Chief Secretary to Government,
Health & Family Welfare (A2) Department,
Fort St. George, Chennai - 9.
2. The Additional Chief Secretary to Government,
Finance (PC) Department,



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3. The Director of Public Health &
Preventive Medicine, Chennai.



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