



W.P.No.21682 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.ARUL MURUGAN**

W.P.No.21682 of 2014
M.P.Nos.1 & 2 of 2014 and 1 of 2015

1. Dr.V.Senthil Nayagan
2. Dr.K.Rajendran
3. Dr.N.Devarajan

...Petitioners

-Vs-

1. The State of Tamil Nadu,
Rep. by its Secretary,
Rural Development and
Panchayat Department (E-5)
Fort St. George,
Chennai – 9

2. The Commissioner,
Rural Development and
Panchayat Department,
Panagal Palace,
Saidapet, Chennai – 15.

3. The Director,
Local Fund Auditing Department
of Finance,
Chennai – 108.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorified Mandamus, calling for the records



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pertaining to the file relating to the G.O.Ms.No.47 Rural Development and Panchayat (E-5) Department dated 02.05.2014 on the file of the first respondent and quash the same and consequently direct the respondents to continue to pay the salary as per the G.O.Ms.No.234 Finance Department dated 01.06.2009 and G.O.Ms.No.354 Health and Family Welfare Department dated 23.10.2009 as fixed and paid to the petitioners.

For Petitioner : Mr.U.Karunakaran

For Respondents : Mrs.V.Yamuna Devi
Special Government Pleader

ORDER

This writ petition is filed challenging the order in G.O.Ms.No.47 Rural Development and Panchayat (E-5) Department dated 02.05.2014 issued by the first respondent and consequently direct the respondents to pay the salary as per the G.O.Ms.No.234 Finance Department dated 01.06.2009 and G.O.Ms.No.354 Health and Family Welfare Department dated 23.10.2009.

2. The petitioners are qualified with M.B.B.S. degree and joined as Medical Officer in Panchayat union dispensaries under the control of the second respondent. Even though 84 panchayat union



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dispensaries were converted into primary health centres, still 25 panchayat union dispensaries are continuing under the same categories.

The petitioners are working as Medical Officers for more than 20 years and their salaries were paid from the funds of the respective panchayat union. Even though the pay has been fixed pursuant to the sixth pay commission in respect of the doctors working in the government hospitals, the benefit has not been extended to the petitioners.

3. Earlier similarly placed persons and the petitioners were approached this Court in W.P.No.18039 of 2011 and the same came to be disposed of by an order dated 29.10.2013 with directions to the respondents to extend the benefits and to fix the revised scale of pay. Still the same was not implemented and therefore the petitioners came up with the present writ petition.

4. Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents.



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5. When the writ petition is taken up for hearing the learned Government Advocate appearing for the respondents by relying upon the counter filed by the second respondent submitted that pending the writ petition, the government issued orders in G.O.(D)No.173 Rural Development and Panchayat Raj (E5) Department dated 27.04.2016 and G.O(D) No.525 Rural Development and Panchayat Raj (E5) Department dated 21.06.2016 thereby ratifying the action of the panchayat union Commissioners concerned in having fixed pay of the petitioner in the revised pay scale and the arrears have been paid. She further submitted that the relief sought for in this writ petition has already been granted and the grievances of the petitioners have been addressed.

6. The relevant portion of the counter is extracted hereunder :-

“It is also submitted that the above three petitioners namely Dr.V.Senthil Nayagam, Dr.K.Rajendran, Cuddalore District and Dr.N.Devarajan, Nilgiri District have subsequently filed fresh writ petitions bearing No.W.P.No.31695/2015, 34294/2019 and W.P.No.25855/2012 in the Hon'ble High Court of Madras for implementing G.O.Ms.No.234 dated 01.06.2009 and G.O.Ms.No.354 dated 23.10.2009



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to the Medical Officers of the Rural Dispensaries.

The High Court of Madras has issued orders complying with the prayer of the petitioners as detailed below :-

Sl. No.	W.P.No.	Name of the petitioner	District	Judgment dated	G.O.No and Date
1	31695/2015	V.Senthil Nayagam	Cuddalore	07.10.2015	173 Rural Development and Panchayat Raj (E5) Department dated 27.04.2016
2	34294/2015	K.Rajendran	Cuddalore	28.10.2015	173 Rural Development and Panchayat Raj (E5) Department dated 27.04.2016
3	25855/2012	N.Devarajan	Nilgiri	15.10.2015	252 Rural Development and Panchayat Raj (E5) Department dated 21.06.2016

In order of comply with the order of the Hon'ble High Court of Madras the Government Rural Development and Panchayat Raj Department, the first respondent herein have issued orders in G.O.(D).No.173 Rural Development and Panchayat Raj (E5) Department dated 27.04.2016 and G.O.(D).No.252 Rural Development and Panchayat Raj (E5) Department dated 21.06.2016 ratifying the action of the panchayat union Commissioners concerned is having fixed pay of the



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*petitioners in the revised pay scale and paid their
arrears thereof.”*

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Accordingly, already the grievances of the petitioners have been addressed and the government orders have been issued, thereby benefits of the revised scale of pay and other benefits have been extended to the petitioners.

7. Recording the above submissions and the counter affidavit, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

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Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

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G.ARUL MURUGAN. J,

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