



W.P.No.17971 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE T.VINOD KUMAR

W.P.No.17971 of 2019

Dr.P.Kalavathi

...

Petitioner

Vs

- 1.The Principal Secretary,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600 009.
- 2.Director of Indian Medicine and Homeopathy
Department of Homeopathy,
Chennai - 106.
- 3.The Special Officer,
Chief Minister's Special Cell,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600 009.
- 4.The Mission Director,
National Health Mission - Tamil Nadu,
359, Anna Salai, DMS Annex Building,
DMS Complex,
Chennai - 600 006.

...

Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records pertaining to the order in Na.Ka.No.412/Thival/2018-2, dated 15.10.2018, on the file of second respondent and quash the same and consequently direct the respondents to comply with the principle of "equal pay for equal work" and grant regular pay scale of Rs.56,100-1,05,000 or any other regular pay scale at par with the other government Ayush Medical Officers with effect from the date of appointment.

For Petitioner : Ms.Teja,
for Mr.P.Puhazh Gandhi.

For Respondents : Mr.E.Sundaram,
Govt. Advocate.

ORDER

By the present Writ Petition, the petitioner has assailed the action of the second respondent in issuing proceedings/order, dated 15.10.2018, whereby the petitioner was denied regular pay scale at par with other Government Ayush Medical Officers with effect from the date of appointment.

2. Learned counsel appearing on behalf of the petitioner, through Video Conference in the morning session, sought for adjournment. However, on this Court declining the said request made by the counsel informing her



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that the issue involved in the present Writ Petition is squarely covered by a decision of this Court, dated 27.09.2022, in W.P.No.510 of 2019 and Batch cases, and another decision of a coordinate Bench of this Court, dated 13.02.2025, in W.P.No.18568 of 2019 and Batch, the learned counsel for the petitioner sought for the matter to be passed over.

3. This Court, by acceding to the aforesaid request made by the learned counsel for the petitioner, passed over the matter.

4. After the matter being passed over and taken up for hearing at the end of the list, there is no representation on behalf of the petitioner either through video conference or in person before the Court. Thus, this Court proceeded to dispose off the matter on merits.

5. The issue raised in the present Writ Petition was subject matter of consideration before this Court in W.P.No.510 of 2019 and Batch cases (Dr.N.Savithri v. Principal Secretary, Department of Health and Family Welfare, Government of Tamil Nadu, and Others), wherein, this Court, by order, dated 27.09.2022, had observed in Paragraph 22 as under :

"22. This being the distinction drawn in respect of the nature of the services, mode of appointment and duties and responsibilities etc., the claim of the writ petitioners are not well founded and therefore, this Court is of an opinion that the petitioners cannot be considered as equals on par with the regular AYUSH Medical



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6. The challenge in the present Writ Petition is also akin to the challenge in the above mentioned writ petition and the impugned order being one and the same, this Court is of the view that the decision rendered in the aforesaid case applies in all force to the case of the petitioner in the present Writ Petition. Further, the aforementioned decision has been followed by another coordinate bench of this Court in W.P.No.18568 of 2019 and Batch.

7. Therefore, the challenge to the present Writ Petition has to fail. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected W.M.P.No.17387 of 2019 is closed.

16.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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T.VINOD KUMAR, J.

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