



W.P.No.25595 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.25595 of 2025

Anbalagan

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Finance,
Fort St.George,
Chennai 600 009.

2.The Principal Secretary to Government,
Department of Health and Family Welfare,
Fort St.George,
Chennai 600 009.

3.The Director of Family Welfare,
DMS Complex,
Teynampet,
Chennai – 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 26.11.2024, for revision of the scale of the pay of the petitioner in the post of Family Welfare



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Assistant (Male) on part with the scale of pay of Family Welfare Assistant (Female) with consequential benefits, in accordance with law and merits within a stipulated period of time.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 26.11.2024, for revision of the scale of the pay of the petitioner in the post of Family Welfare Assistant (Male) on part with the scale of pay of Family Welfare Assistant (Female) with consequential benefits, in accordance with law and merits within a stipulated period of time.



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3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner was initially appointed as Family Welfare Assistant (Male) on 10.03.1988 at Government Hospital, Sholinghur and subsequently, he was promoted to the post of Block Health Statistician on 21.09.2001 and on attaining the age of superannuation, he retired from service on 31.05.2015. Thereafter, the post of Family Welfare Assistant (Female) was created and their scale of pay was fixed over and above that the Family Welfare Assistant (Male). It is the submission of the petitioner that in view of the pay anomaly between the Male Nurses as well as the Female Nurses, the petitioner has sent a representation on 26.11.2024 to the respondents to set right the anomaly and such representation is pending with them.

5. At this juncture, the learned Government Advocate appearing for the respondents would fairly submit that the petitioner has already retired from service and they will consider the petitioner's representation according to its own merits and in accordance with law, within a reasonable time.



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6. In such view of the submission, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 26.11.2024 and pass orders on it's own merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

15.07.2025
(5/5)

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



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To
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C.KUMARAPPAN, J.

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