



W.P. No.33631 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 04.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.33631 of 2025

Dr.V.R. Selva Ambigai

.... Petitioner

vs.

1. The Chairman / Chief Secretary,
Departmental Promotion Committee,
Mother Theresa Post Graduate & Research
Institute of Health Sciences,
Indira Nagar, Gorimedu,
Puducherry – 605 006.

2. The Dean,
Mother Theresa Post Graduate & Research
Institute of Health Sciences,
Indira Nagar, Gorimedu,
Puducherry – 605 006.

3. Secretary to Government (Health), Puducherry,
Goubert Avenue,
Beach Road,
White Town,
Puducherry – 605 001.

4. The Director of Health and Family Welfare Services,
Government of Puducherry,
No.46P, Main Block of the Old
Maternity Hospital Complex,
Victor Simonel,
Puducherry – 605 001.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 1st, 2nd and 3rd respondents to pass orders on petitioner's representation, dated 11.06.2024, seeking pay protection from the date of petitioner absorption in the Post of Lecturer in Nursing w.e.f. 27.10.2015.

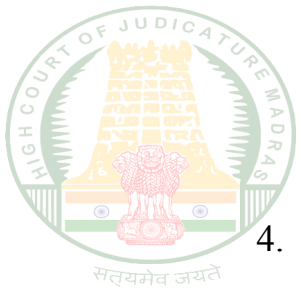
For Petitioner : Ms.D. Geetha
For Respondents : Mr.M. Nirmal Kumar
Government Advocate (Puducherry)

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself. Mr.M. Nirmal Kumar, Government Advocate (Puducherry) takes notice on behalf of the respondents.

2. The relief sought for by the petitioner in this Writ Petition is for a direction to the respondents 1 to 3 to consider the petitioner's representation, dated 11.06.2024, seeking pay protection from the date of absorption in the Post of Lecturer in Nursing, w.e.f. 27.10.2015.

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



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4. It is averred in the affidavit filed in support of the writ petition that at the time of joining service, the petitioner, who was a Bachelor degree holder in Nursing was appointed as staff Nurse by the Government of Puducherry on 15.08.2001. Subsequently, on completion of M.Sc, she was deputed to JIPMER and held the post of Tutor during the period 2008 to 2011. Later, she was deputed to the 2nd respondent institution and served there as Tutor for the period 2013-2015. In the year 2014, she completed Ph.D. Nursing and thereafter she was absorbed as Lecturer in Nursing in MTPG & RIHS, Puducherry and therefore, she was directed to tender her resignation to her parent department. On acceptance of resignation, she was relieved w.e.f. 26.10.2015 and absorbed in the post of lecturer in Nursing w.e.f. 27.10.2015. Thus, her pay was fixed in the pay band of Rs.15,600-39,100 with grade pay of Rs.6,000/-. It is her grievance that the said pay fixation was erroneous and stated that at the time of absorption in the 2nd respondent institution, she was drawing a salary of Rs.19,900/- + G.P. Rs.6,000/-.

5. It is the further case of the petitioner that raising the issue of her promotion, she preferred writ petition viz., W.P. No.10568 of 2021 seeking for the relief of promotion to the post of Associate Professor, but the same was dismissed. Aggrieved over the said dismissal order, she preferred Writ Appeal



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No.3561 of 2023. At the same time, she preferred another writ petition viz.,

W.P. No.901 of 2024 seeking promotion. On the other hand, she submitted various representations, lastly on 11.06.2024 to the respondents seeking pay protection from the date of her absorption. As the said representations were not considered, till date, by the respondents, she has approached this Court by filing this writ petition.

6. Learned counsel for the petitioner submits that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner, dated 11.06.2024, within a time frame to be fixed by this Court.

7. Mr.M. Nirmal Kumar, learned Government Advocate (Puducherry) appearing for the respondents has no serious objection in issuing such a direction to the respondents. However, he submits that the 2nd respondent is the competent authority to consider the petitioner's representation and accordingly he prays for issuance of appropriate directions.

8. In view of the fair stand taken by the learned counsel on either side, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representation, dated 11.06.2024 and pass



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appropriate orders on merits and in accordance with law within a period of six

WEB COPY weeks from the date of receipt of a copy of this order.

9. With the above directions, the writ petition stands disposed of. No costs.

04.09.2025

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

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