



W.P.(MD)No.19653 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

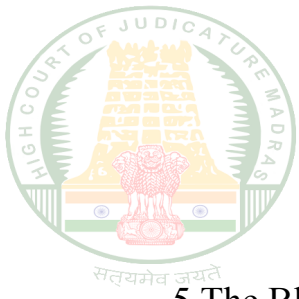
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V.R.Eswara Ramanan

... Petitioner

-VS-

- 1.State of Tamil Nadu represented by,
The Principal Secretary,
Health and Family Welfare Department,
Fort St. George, State Secretariat,
Chennai - 600 009.
- 2.The Director,
Directorate of Public Health and Preventive Medicine,
No.359, DMS Complex,
Anna Salai, Chennai - 600 006.
- 3.The Joint Director,
Health Services,
Office of the Joint Director,
Usilampatti, Madurai.
- 4.The District Health Officer / Deputy Director,
Office of the District Health Officer / Deputy Director,
Public Health and Preventive Medicine,
Vishwanathapuram, Madurai District.



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5. The Block Medical Officer,
Office of the Block Medical Officer,
Primary Health Center,
Kallandiri,
Madurai District.

... Respondents

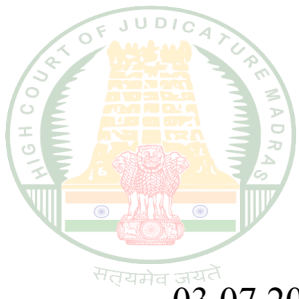
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take appropriate action to grant the due time - bound promotion as civil surgeon to the petitioner with effect from completion of 15 years of service on afternoon of 15.02.2024 and to provide all consequential service benefits including pay fixation, arrears and seniority benefits by considering the petitioner's representation dated 03.07.2025, in accordance with law, within the time stipulated by this Court.

For Petitioner : Dr.R.Alagumani

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents to consider and grant time-bound promotion to the petitioner to the post of Civil Surgeon with effect from the afternoon of 15.02.2024, upon completion of 15 years of service and to extend all consequential service benefits including pay fixation, arrears and seniority benefits, by considering the petitioner's representation dated



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03.07.2025, in accordance with law, within the time frame stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that he is entitled to time-bound promotion to the post of Civil Surgeon upon completion of 15 years of qualifying service as on the afternoon of 15.02.2024. Despite being eligible, the said promotion and corresponding service benefits including pay fixation, arrears and seniority benefits have not been granted. The petitioner has submitted a detailed representation dated 03.07.2025 requesting the grant of promotion and consequential benefits in accordance with the applicable rules. However, no action has been taken by the respondents till date. Hence, the petitioner has approached this Court, seeking appropriate directions to consider his representation and extend the eligible benefits within a time frame to be fixed by this Court.



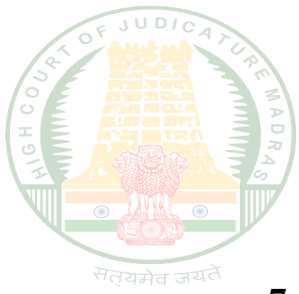
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4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 03.07.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits.



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7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

21.07.2025

Index : Yes / No

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To:-

- 1.The Principal Secretary,
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VIVEK KUMAR SINGH, J.

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