

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )  
Tuesday, the First day of December Two Thousand and Twenty

PRESENT

**The Hon`ble Mr.Justice N.KIRUBAKARAN**  
**and**  
**The Hon`ble Mr.Justice B.PUGALENDHI**

WP(MD) No.24194 of 2018

S.MOHAMED YUNNIS RAJA

... PETITIONER

Vs

- 1 THE STATE OF TAMILNADU,  
REP. BY THE PRINCIPAL SECRETARY,  
HEALTH AND FAMILY WELFARE DEPARTMENT, CHENNAI.
- 2 THE DIRECTOR OF MEDICAL EDUCATION,  
DIRECTORATE OF MEDICAL EDUCATION,  
KILPAUK, CHENNAI-600 010.
- 3 SENTHIL,  
PRESIDENT, TAMIL NADU GOVERNMENT DOCTORS  
ASSOCIATION, 208, DAS, QUARTERS,  
GOVERNMENT RAJAJI HOSPITAL CAMPUS, MADURAI.
- 4 THE SECRETARY,  
TAMIL NADU GOVERNMENT DOCTORS ASSOCIATION,  
CHENNAI.
- 5 SERVICE DOCTORS AND POST GRADUATE ASSOCIATION,  
(REG.NO.40/2015),  
REP. BY ITS STATE GENERAL SECRETARY,  
DR.P.SAMINATHAN (CIVIL SURGEON),  
GOVERNMENT HOSPITAL VIRUDHACHALAM,  
CUDDALORE DISTRICT - 627 751.

(R5 IS IMPEADED VIDE COURT ORDER DATED  
17/12/18 IN WMP(MD)NO.22601/18)

6. THE DEMOCRATIC TAMIL NADU  
GOVERNMENT DOCTORS ASSOCIATION,  
REP. BY ITS PRESIDENT DR.P.BALAKRISHNAN,  
DEMOCRATIC TNGDA OFFICE,  
GOVERNMENT MOHAN KUMARAMANGALAM  
MEDICAL COLLEGE HOSPITAL, SALEM.  
(R6 IS SUO MOTU IMPEADED VIDE COURT ORDER DATED 07/12/18  
IN WP(MD) NO.24194/18)

http://www.judisys.in DR.R.SATHIYAVANI,

D/O.K.R.M.ADHIDRAVIDAR,  
NO.31, KAVERI STREET,  
ANUPAMPATTU, PONNERI TALUK,  
THIRUVALLUR DISTRICT.

WORKING AT:

GOVERNMENT PHC, VADASERY,  
THANJAVUR DISTRICT.

... RESPONDENTS

(R7 IS SUO MOTU IMPLEADED VIDE COURT  
ORDER DATED 25.03.2019)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a writ of Mandamus, direct the first and second Respondent to prohibit and forbearing the Respondent No.3 and 4 and its members from going on or organising or participating in any kind of strike, in all the Government Hospitals in the state of Tamil Nadu, consequently to direct the Respondents to ensure all kind of uninterrupted treatment and medical services in all the Government Hospitals in the State of Tamil Nadu.

**ORDER :** This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.ALAGUMANI, Advocate for the petitioner and of Mr.ARAVIND PANDIAN, Additional Advocate General assisted by Mrs.J.PADMAVATHI DEVI, Special Government Pleader for R1 & R2 and Mr.ISAAC MOHANLAL, Senior Counsel for M/S.ISAAC CHAMBERS for R3 and R4 and Mr.SHAJI CHELLAN, Advocate for R5 and of Mr.PUGAZH GANDHI, Advocate for R7, the Court made the following order:-

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

Mr.Isaac Mohanlal, learned Senior Counsel appearing for the respondent Nos.3 and 4 submits that he would circulate a comparative statement of pay scale, promotional avenues and other benefits available to the Doctors in various other States.

2.In this regard, Mr.Aravind Pandian, learned Additional Advocate General shall get instructions from the Government.

3. The Doctors' role in the Covid-19 pandemic is very laudable and risking their own lives, they worked round the clock in the interest of people and many Doctors lost their lives in the fight against the pandemic. This Court places its appreciation and applauds to the services rendered by the Doctors, Health Workers and Police Officers during pandemic time. Considering their contributions during the health crisis to the Government and the people, this Court expects that the Government would consider the demands, not only the Doctors, Health Workers and also the Policemen.

4.Mr.Aravind Pandian, learned Additional Advocate General appearing for the official respondents shall get instructions as to the action taken report pursuant to the One Man Committee report and Departmental Committee, with regard to the issues raised by the Doctors and also other Health Workers.

5.Dr.R.Alagumani, learned counsel for the petitioner would submit that MRI Scan and CT Scan facilities though are available in Government Medical Colleges, the same is not available in many of the District Head Quarters Hospitals.

6.Mr.Aravind Pandian, learned Additional Advocate General appearing for the official respondents shall get instructions with regard to the availability of MRI Scan and CT Scan facilities in the District Head Quarters Hospitals.

7. Post the matter on **15.12.2020 at 2.15 p.m.**

sd/-  
01/12/2020

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/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE PRINCIPAL SECRETARY,  
STATE OF TAMILNADU,  
HEALTH AND FAMILY WELFARE DEPARTMENT, CHENNAI.
- 2 THE DIRECTOR OF MEDICAL EDUCATION,  
DIRECTORATE OF MEDICAL EDUCATION,  
KILPAUK, CHENNAI-600 010.

**COPY TO:**

MR.ARAVIND PANDIAN, ADDITIONAL ADVOCATE GENERAL,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN  
WP(MD) No.24194 of 2018  
Date :01/12/2020

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