



ABSTRACT

W.P – W.P No.3628/2005 and 928/10 filed by Tmt.R.Jayasundari, Nursing Tutor Grade II, School of Nursing, Madurai Medical College, Madurai and Tmt.A.Kanagalakshmi, formerly Lecturer in Nursing, College of Nursing, Government Mohan Kumaramangalam Medical College, Salem before the Hon'ble High Court of Madras – To sanction pay and allowances for the study period of M.Sc (Nursing) during the year 2004-2006 – Judgement delivered – Complied - Orders issued.

HEALTH AND FAMILY WELFARE (AA2) DEPARTMENT

G.O.(2D) No.17

Dated:27.02.2014
Thiruvalluvar Aandu:2045
Vijaya, Masi:15

Read:

1. From Thiru.A.Kanagalakshmi, Lecturer in Nursing and Tmt.R.Jayasundari, Nursing Tutor Grade II, letters dated 19.07.2004 and 29.08.2005 respectively.
2. Government Letter No.36344/AA2/04-23, dated 24.04.09.
3. Hon'ble High Court of Madras, Chennai order dated 22.11.2011 in W.P No.3628/2005 and W.P No.928 of 2010 filed by Tmt. R.Jayasundari and Tmt. A.Kanagalakshmi.
4. From the Director of Medical Education letter No.90726/N2/10, dated 08.03.2012, 20.06.2012, 05.12.2012 and 09.12.2013.

ORDER:

Tmt. R.Jayasundari and certain other Nursing Tutors have represented that they were selected to undergo M.Sc.(Nursing) Course in the various Self Financing Colleges during 2004-2006 and in the Prospectus for admission to Post Graduate M.Sc.(Nursing) Degree Course at that time, it has been specifically mentioned that "All the Nurses working in Tamil Nadu Government and selected Post Graduate Course shall undergo the course on deputation and be paid full pay and allowances. But, they were relieved without mentioning that they were on deputation and they were not paid pay and allowance for their study period. They have, therefore, requested the Government that they may be paid pay and allowances for the study period from June 2004 to May 2006

treating as deputation. After examining the issue, the Director of Medical Education was informed that the request of the individuals for sanction of pay and allowances for the study period from June 2004 to May 2006 treating as deputation was rejected by the Government.

2. Aggrieved on this, Tmt.R.Jayasundari and Tmt .A.Kanagalakshmi, have filed W.Ps (W.P.Nos.3628 of 2005 and 928 of 2010 respectively) before the High Court of Madras with a prayer to treat the period of Post Graduate M.Sc.(Nursing) Course undergone by the petitioners as deputation period and to pay the full pay and allowances as applicable to the petitioners from 30-05-2004 to till the completion of the course as per Clause VI of the Prospectus 2004-2005 issued by the Selection Committee of Director of Medical Education, Chennai-10.

3. In its common order 3rd read above, the Hon'ble High Court of Madras has allowed the W.Ps filed by the individuals and ordered to pay the full pay and allowances to the petitioners during their period of study between June 2004 and May 2006, within a period of two months from the date of receipt of a copy of this order.

4. In his letter fourth read above, the Director of Medical Education has requested that the study period for M.Sc (Nursing) of Tmt.R.Jayasundari and Tmt. A.Kanagalakshmi may be treated as duty with pay and allowance based on the High Court Order.

5. The Government have examined the issue in detail carefully and independently and have decided to comply with the orders of the Hon'ble High Court of Madras and to treat the period of M.Sc.(Nursing) Degree Course undergone by Tmt.R.Jayasundari, and Tmt.A.Kanagalakshmi, during the period from 30-5-2004 to till the completion of the course as deputation period and to pay full pay and allowances. The Government do and hereby direct that the period of study of M.Sc (Nursing) Degree undergone by Tmt.R.Jayasundari, Nursing Tutor Grade II, School of Nursing, Madurai Medical College, Madurai and Tmt. A.Kanagalakshmi, Lecturer in Nursing, College of Nursing, Government Mohan Kumaramangalam Medical College, Salem during the period from 30.05.2004 to till the completion of the course be treated as deputation period and to pay full pay and allowances for the above period with a probable expenditure of Rs.6,49,140 (Rupees Six Lakhs Forty Nine Thousand One Hundred and Forty Only).

(BY ORDER OF THE GOVERNOR)

**J. RADHAKRISHNAN
SECRETARY TO GOVERNMENT**

To

The Director of Medical Education, Chennai-10.

The individual concerned

through Director of Medical Education, Chennai-10.

The Accountant General, Chennai-18/35.
The Pay and Accounts Officer, Madurai
The Treasury Officer, Salem District.

Copy to:

The Special Personal Assistant to Minister (Health), Chennai-9.
The Health & Family Welfare (Data Cell) Department, Chennai-9.
Sf/Sc.

/Forwarded By Order/

ச. சி. ஜெகதீசன்
SECTION OFFICER

PS
3/3/14

