

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 24.4.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12226 of 2015

Chinnapappa

... Petitioner

versus

- 1.The Director,
Public health and Preventive Medicine,
Chennai 600 006.
- 2.The Project Director,
Reproductive and Child Health Project,
Chennai 6.
- 3.The Joint Director,
Health Department,
Villupuram District.
- 4.The Deputy Director of Health Services,
Kallakurichi Health Unit District,
K.Mamananthal Road,
Kallakurichi
Villupuram District.
- 5.The Medical Officer,
Government Primary Health Centre,
Melur 606 201,
Kallakurichi Taluk,
Villupuram District

... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to restore the sanitary workers job to the petitioner as envisaged under petitioner representation dated 10.3.2015 in the office of the 5th respondent with all benefits and continuity of service.

For petitioner

Mr.V.Manohar

For respondents

Mr.V.Jayaprakash Narayanan, Spl.G.P.

O R D E R

The petitioner was appointed as sanitary worker by the 4th respondent by order dated 17.10.2006 and she joined in the 5th respondent Primary Health Centre, Melur, in November 2006. She was paid a consolidated salary of Rs.500 per month.

2. While so, she was not able to attend duty from 3.7.2014 to 10.12.2014, on health grounds and she applied for medical leave, enclosing medical certificate issued by the Government Headquarters Hospital, Kallakuruchi.

3. Grievance of the petitioner is that after completion of her medical leave, when she reported for duty, she was not permitted to join duty and she was unjustly denied employment after 11.12.2014. Since the petitioner has rendered about 8 years of service and that too as a sanitary worker, it is the case of the petitioner that she could not be arbitrarily denied employment and she shall be allowed to continue in service. Hence she made a representation dated 10.3.2015, seeking permission to rejoin duty, to the Hon'ble Chief Minister and a copy was marked to the Deputy Director - the 4th respondent herein.

4. Now the petitioner has filed this Writ Petition seeking for a direction to permit her to continue her work as sanitary worker based on her representation dated 10.3.2015

5. At the time of hearing the Writ Petition, the learned counsel for the petitioner submitted that the Writ Petition maybe disposed of by directing the 4th respondent to pass orders on the representation submitted by the petitioner.

6. The Writ Petition is disposed of by directing the petitioner to submit a fresh representation, enclosing a copy of this order. On receipt of such representation, the 4th respondent is directed to pass orders on the same within a period of four weeks from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Director,
Public health and Preventive Medicine,
Chennai 600 006.

2.The Project Director,
Reproductive and Child Health Project,
Chennai 6.

3.The Joint Director,
Health Department,
Villupuram District.

4.The Deputy Director of Health Services,
Kallakurichi Health Unit District,
K.Mamananthal Road,
Kallakurichi, Villupuram District.

5.The Medical Officer,
Government Primary Health Centre,
Melur 606 201, Kallakurichi Taluk,
Villupuram District

+1cc to Mr.V.Manohar, Advocate, S.R.No.22777
+1cc to the Government Pleader, S.R.No.22955

W.P.No.12226 of 2015

SSI (CO)
CA(18/05/2015)

सत्यमेव जयते

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