

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.26181 of 2015
and M.P.No.1 of 2015

Mathaiyan

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. By its Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009
2. The Project Director,
Tamil Nadu State Aids Control Society,
417 Pantheon Road, Egmore,
Chennai - 600 008
3. The Chairman, Medical Services Recruitment Board,
Teynampet, Chennai - 600 006 ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to regularize the services of the petitioner in the post of Lab Technician Grade-II with all monetary and other attendant benefits.

For Petitioner : Mr. S.Doraisamy
For Respondents : Mr. S.Gunasekaran, Govt. Advocate

O R D E R

Admit. Mr. S.Gunasekaran, learned Government Advocate, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that he is a handicapped person and was appointed as Lab-Technican in the services of the Tamil Nadu State Aids Control Society, on 07.03.2006. According to him, he has got all requisite educational qualifications for being appointed as Lab Technician. The petitioner would further state that, he was appointed, after calling for application, through the newspaper and after going through the necessary selection process. He further submits that he has put in hard, sincere, continuous and un-blemished service to the satisfaction of his superior officers.

3. The grievance expressed by the petitioner is that, though he has put in more than nine years of service, he is yet to be regularized and in this regard, he has submitted a representation, dated 10.06.2015 to respondents 1 and 2 and since has has not been

favoured with any response, he has come forward to file this writ petition.

4. The learned counsel for the petitioner would submit that, in similar circumstances, this Court, vide order, dated 30.06.2015, made in W.P.No.18887 of 2015 has directed the respondents therein to consider the request made by persons similarly placed for regularization of their services and since the petitioner is also similarly placed, his name may also be considered.

5. This Court heard the submissions of the learned Government Advocate, who accepts notice on behalf of the respondents.

6. Though the petitioner prayed for a larger relief, this Court, without going into the merits of the claim projected by the petitioner and in the light of the above facts and circumstances, permits the petitioner to submit one more representation to respondents 1 and 2, by enclosing a copy of this order as well as his earlier representation, dated 10.06.2015, within a period of two weeks from the date of receipt of a copy of this order and respondents 1 and 2, on receipt of the same, shall consider the said representation (to be submitted by the petitioner), on merits and in accordance with law, and pass orders on it, within a period of ten weeks thereafter, and communicate the decision taken to the petitioner as well as to the third respondent.

7. This writ petition is disposed of accordingly. No costs. Consequently, the connected MP is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

srk

To

1. The Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009
2. The Project Director,
Tamil Nadu State Aids Control Society,
417 Pantheon Road, Egmore,
Chennai - 600 008
3. The Chairman,
Medical Services Recruitment Board,
Teynampet, Chennai - 600 006.

1 cc to Mr.S.Doraisamy , Advocate Sr.No.44620

1 cc to Government Pleader.Sr.No.44731

W.P.No.26181 of 2015
& M.P.No.1 of 2015