

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27274 of 2015

and

M.P.No.1 of 2015

S.Chitra

...Petitioner

Vs

1. State of Tamil Nadu rep. by its
Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 9.
2. The Project Director,
Tamil Nadu State Aids Control
Society, 417, Pantheon Road,
Egmore, Chennai - 8.
3. The Chairman,
Medical Services Recruitment Board,
Teynampet, Chennai - 6.

...Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the respondents to pass an order on the representations of the petitioner dated 10.06.2015 and 24.08.2015 and to regularize the service of the petitioner in the post of Lab Technician Grade II with all monetary and other attendant benefits.

For Petitioner : Mr.K.A.Prabhakaran

For Respondents : Mr.V.Subbiah,
Spl. Govt. Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

***2.The petitioner claims that she was appointed as Lab Technician in the services of the Tamil Nadu State AIDS Control Society on 17.03.2008.**

3.The petitioner would state that ***She** is having educational qualification of Certificate in Medial Laboratory Technology (CMLT) and ***She** is working continuously without any break and ***She** is in receipt of consolidated pay. The grievance expressed by the petitioner is that though ***She** has worked as Lab Technician on a consolidated pay right from 17.03.2008, ***her** services are yet to be regularised and also relied upon various orders issued by the Government of Tamil Nadu, in and by which, the services of employees working in various departments, who had completed more than three years of service were regularised. In this regard, several representations have been submitted to the State Government as well as to the Central Government and Ministry of Health and Family Welfare, vide communication dated 04.08.2014, has sent a reply stating that it has no objection for regularisation of services of the staff working in the State Aids Control Societies and inspite of such a communication, the first respondent did not take any action to regularise the services of the petitioner and in this regard, ***She** has submitted a representation dated 24.08.2015 to the respondents 1 and 2 and since no orders have been passed, came forward to file this writ petition.

4.Learned counsel for the petitioner would submit that in similar facts and circumstances, this Court, vide orders dated 30.06.2015 and 21.08.2015 made in W.P.Nos.18887 of 2015 and 26181 of 2015 respectively, has directed the concerned respondent to pass orders on the representation on merits and in accordance with law, within a stipulated time and prays for similar orders.

5.The Court heard the submissions of Mr.V.subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

6.This Court, taking into consideration the above facts and circumstances, directs the third respondent to consider and dispose of the petitioner's representation dated 24.08.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of

accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

***Amended as per order of this
court dated 10.09.2015 and made
in W.P.No. 27274 of 2015
Sd/- Assistant Registrar (LA)
Dated : 15.09.2015**

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 9.
2. The Project Director,
Tamil Nadu State Aids Control Society,
417, Pantheon Road,
Egmore, Chennai - 8.
3. The Chairman,
Medical Services Recruitment Board,
Teynampet, Chennai - 6.

To be substituted to
the order already
despatched on 02.09.2015

+ 1 cc to M/s.S.Doraisamy, Advocate SR 46731

+ 1 cc to the Govt.Pleader SR 47239

सत्यमेव जयते

W.P.No.27274 of 2015

cnr(co)
prk14/9

JSV (CO)
PSI 15.09.2015

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