

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.35502 of 2015

and

M.P.No.1 of 2015

K.Ganesan

.. Petitioner

vs.

1.The Dean

Government Dharmapuri Medical College Hospital,
Dharmapuri.

2.The Directorate of Medical Education,
Kilpauk, Chennai - 10.

3.Medical Services Authority/Commissioner,
Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to absorb the petitioner in the regular post since he has continuously worked for more than 480 days from 1.7.2012.

For petitioner : Mr.S.Muthukrishnan

For respondents : Mr.N.Roofus Abraham,
Government Advocate

ORDER

By consent, the Writ Petition is taken up for final disposal.

2. This Writ Petition has been filed seeking for a Writ of Mandamus to direct the respondents to absorb the petitioner in the regular post as he has continuously worked for more than 480 days from 1.7.2012.

3. The case of the petitioner is that he joined in the service of the first respondent College on temporary basis as a Barber on 1.7.2012 and he was discharging his duties to the fullest satisfaction of superiors. The respondent also issued a certificate to that effect. The further case of the petitioner is that he has been continuously working since 1.7.2012 and therefore, he is entitled to regularisation of his service. The first respondent, with his proceedings

O.Mu.No.8114/Ni,Vu/2014, dated 13.12.2014, forwarded the petitioner's application to the second respondent but so far, no action was taken on the same. Again, the petitioner sent a representation dated 15.6.2015 to the first respondent to absorb him in the regular post. However, no action was taken. Hence the present Writ Petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the second respondent to consider the application of the petitioner dated 13.12.2014 forwarded by the first respondent vide his proceedings dated 18.12.2014 in O.Mu.No.8114/Ni,Vu/2014, and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. The Writ Petition is disposed of accordingly. No costs. The connected Miscellaneous Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

asvm

To

1.The Dean

Government Dharmapuri Medical College Hospital,
Dharmapuri.

2.The Directorate of Medical Education,
Kilpauk, Chennai - 10.

3.The Medical Services Authority/Commissioner,
Chennai.

+1 cc to The Government Pleader, Advocate, sr.60201

+1 cc to M/s.S.Muthukrishnan, Advocate, sr.60155

W.P.No.35502 of 2015
and
M.P.No.1 of 2015

mp co
kra 26.11.2015