

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1459 of 2016

M.Sivakumar

.. Petitioner

Vs.

1.The Secretary to Government,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Public Health and
Preventive Medicine,
359, Anna Salai,
Teynampet, Chennai - 600 006.

3.The Deputy Director of Health Services,
Health and Family Welfare Department,
Villupuram, Villupuram District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to pass orders based on the proposals submitted by the second respondent in R.No.123635/SBH-1/S2/2005 dated 05.10.2015 for absorbing the petitioner as Date Entry Operator in regular time scale of pay as in the case of other 7 co-employees, who were recruited along with him.

For Petitioner : Mr.R.Rengaramanujam

For Respondents : Mrs.M.E.Raniselvam
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he was recruited through Employment Exchange and was appointed by the third respondent as Data Entry Operator on consolidated pay of Rs.2,500/- and joined the service in the year 2007. He belongs to Scheduled Caste community and has passed BSC Mathematics with Statistics as his ancillary subject and also passed Diploma in Computer

Applications. By G.O.Ms.No.122, Health and Family Welfare [AB2] Department dated 03.06.2005, sanction for 25 posts of Data Entry Operators was accorded. However, only 15 candidates were selected and appointed for the post. Thereafter, 4 of them have left the job and at present only 11 candidates are continuing in the service.

3.The grievance of the petitioner is that out of 11 Data Entry Operators, 7 have been absorbed in regular time scale of pay of Rs.5200-20200 in terms of G.O.Ms.No.218, Health and Family Welfare [AB2] Department, dated 28.07.2015. The second respondent has sent a proposal to the first respondent on 05.10.2015 to bring the petitioner under regular time scale of pay. Since, no order has been passed by the respondents, the present Writ Petition has been filed by the petitioner.

4.Heard the submissions of Mr.R.Rengaramanujam, learned counsel appearing for the petitioner and Mrs.M.E.Raniselvam, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5.Though, the petitioner prayed for a larger relief, this Court, taking into consideration the facts of this case and without going into the merits of the same, directs the first respondent to consider the proposal sent by the second respondent in R.No.123635/SBH-1/S2/2005 dated 05.10.2015 and pass orders, on merits and in accordance with law, 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.

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

Sd/-

Assistant Registrar

/ True Copy /

सत्यमेव जयते

Sub Assistant Registrar

sri

To

1.The Secretary to Government,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Public Health and
Preventive Medicine,
359, Anna Salai,
Teynampet, Chennai - 600 006.

3.The Deputy Director of Health Services,
Health and Family Welfare Department,
Villupuram, Villupuram District.

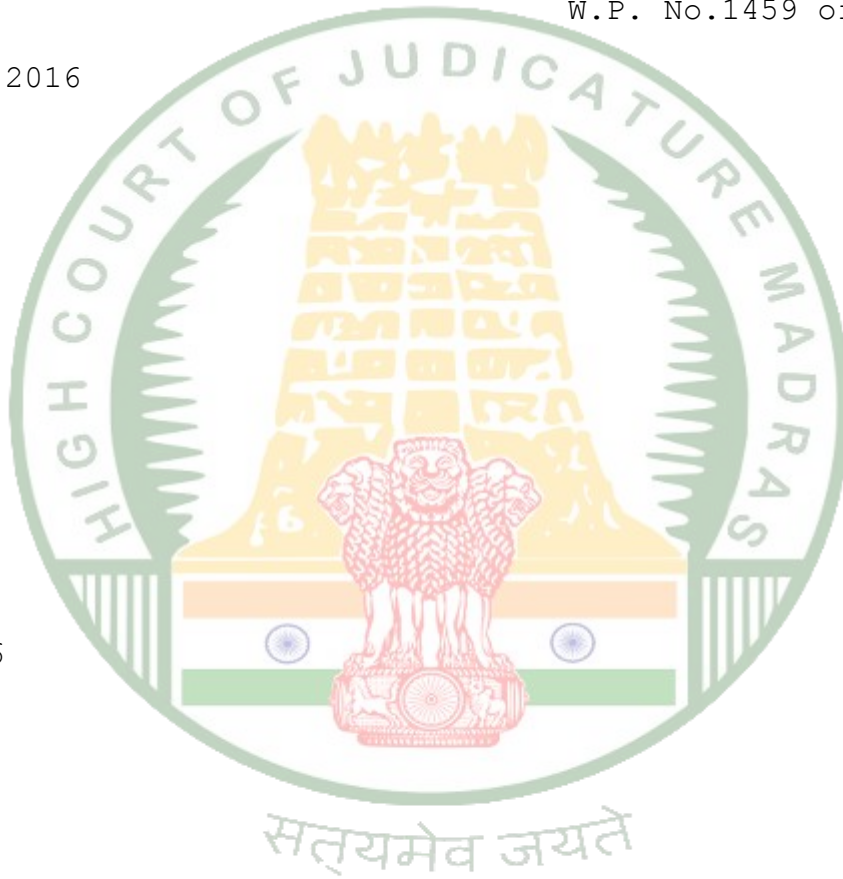
+ one cc to Mr.R.Rengaramanujam, Advocate SR.2536

+ one cc to Govt. Pleader, High Court, Madras SR.2675

W.P. No.1459 of 2016

BV2 (CO)
VS 09.02.2016

18.01.2016



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