

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.30519 of 2016

M.Rajagopal

Petitioner

vs.

- 1.The Director of Health Service and Family Welfare,
DMS Compound, Chennai-6.
- 2.The Joint Director of Health Services and Family Welfare,
Kuppur, Dharmapuri-4.
- 3.The Superintendent of Government Hospital,
Papireddipatti, Dharmapuri District. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents orders on the representation dated 18.1.2016, seeking treating of the period between 16.6.2009 & 9.1.2013 as duty for all purposes as per Fundamental Rules on merits and within a time to be stipulated by this Court.

For Petitioner : Mrs.N.R.Jasmine Padma

For Respondents : Mr.C.Jagadish,
Special Govt. Pleader

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to pass orders on the representation dated 18.1.2016, seeking the period between 16.6.2009 & 9.1.2013 to be treated as duty for all purposes as per Fundamental Rules on merits.

2. The petitioner was appointed on consolidated pay of Rs.2,000/- during 1996 and in pursuant to a Government Order directing these types of consolidated pay employees under the Tamilnadu Health Welfare Scheme with reference to Proceedings of the second respondent in Na.Ka.No.5797/Ni3/2007 dated 26.12.2007, the petitioner and others were absorbed to the respective Government Hospital/Head-Quarters Hospital etc. and insofar as the petitioner is concerned, he was absorbed to the last grade Government servant/Hospital Worker with effect from 6.1.2008 and was granted scale of pay. The grievance expressed by the petitioner is that the period between 16.06.2009 and 09.01.2013 has not been regularized and in this regard, the petitioner has also submitted a representation and since no response was forthcoming, came forward with this writ petition.

3. Heard the learned counsel appearing for the petitioner, Mr.C.Jagadish, learned Special Government Pleader appearing for the respondents and also perused the materials placed before it.

4. This Court, without going into the merits of the petitioner's representation, directs the respondents to consider and dispose of the petitioner's representation dated 18.01.2016 on merits and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/
Assistant Registrar

/True copy/ सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Director of Health Service and
Family Welfare,
DMS Compound, Chennai-6.

2.The Joint Director of Health Services
and Family Welfare,
Kuppur, Dharmapuri-4.

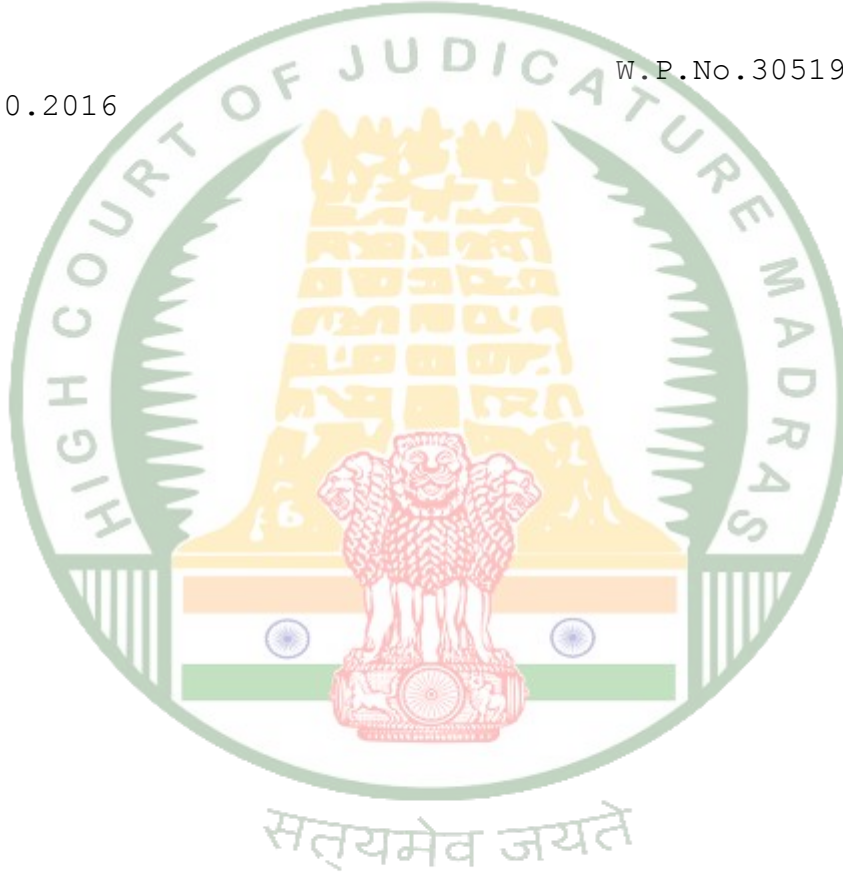
3.The Superintendent of Government Hospital,
Papireddipatti, Dharmapuri District

+1cc to L.Chandrakumar, Advocate SR.NO.54008

+1cc to Government Pleader SR.No.23860

SDR 22.10.2016

W.P.No.30519 of 2016



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