



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2016

WEB COPY

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.6372 of 2016

1.S.Selvi
2.R.Kala
3.S.Muniyammal
4.T.Karuppi

... Petitioners

Vs.

1.The State of Tamilnadu
Represented by the Secretary,
Department of Health and Family Welfare,
Fort St. George, Chennai.

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

3.The Dean,
Tirunelveli Medical College,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent No.3 to regularize the petitioner's service from the date of their joining in service as sanitary workers on 10.08.1993 and fix the time scale of pay from that period with consequential benefits from 10.08.1993 to 05.07.2007 within the time period stipulated by this Court.

For Petitioner : Mr.T.lajapathi Roy

For R1 & R2 : Mr.S.Chandrasekar
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the respondent No.3 to regularize the petitioner's service from the date of their joining in service as sanitary workers on 10.08.1993 and fix the time scale of pay from that period with consequential benefits from 10.08.1993 to 05.07.2007 within the time period stipulated by this Court.



2. Heard the learned counsel appearing on either side.

3. According to the petitioner, the petitioners were appointed on as Sanitary Workers in the third respondent hospital on consolidated pay. The petitioners were kept on consolidated pay scale for over decade. The petitioners came to know that the third respondent has passed an order vide NO.4272/Ni8/97 dated 10.09.2008 and brought the two Sanitary Workers, who were appointed on consolidated pay, under the time scale of pay. Hence, the third respondent ought to have regularized the services of the petitioners also. Pointing out all these facts, the petitioners had sent representations dated 20.03.2015 to the respondents and the same have not been considered till date. Hence, the petitioners have filed the present writ petition.

4. This Court, without going into the merits of the claim of the petitioners, directs the third respondent to consider the representations of the petitioners, dated 20.03.2015 and pass appropriate orders on the same on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary to Government,
Department of Health and Family Welfare,
Fort St. George, Chennai.

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

3. The Dean,
Tirunelveli Medical College,
Tirunelveli.

+One cc to The Special Government Pleader, SR.No.18327
+One cc to M/s.T.Lajapathi Roy, Advocate, SR.No.18210

CM

RL/6C/2P/GSV/PM/13/4/2016

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