



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2016

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.4889 of 2015

and

M.P (MD) No.1 of 2015

Tamil Nadu Health Inspectors Union,
Rep.by its President S.Sundararajan,
464A, 12th Street,
Bank Staff Colony,
Thanjavur - 613 005.

... Petitioner

Vs.

1.The State Rep.by
Secretary to Government,
Health and Family Welfare,
Secretariat, St.George Fort,
Chennai - 600 009.

2.The Director of Public Health and
Preventive Medicine,
359, DMS Building, Annasalai,
Chennai - 600 006.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order G.O(Ms)No.268 (Health and Family Welfare N1 Department), dated 20.09.2010, issued by the 1st respondent and quash the same as illegal, incompetent and consequently directing the Respondents to redesignate the petitioner Union to Health Inspectors GR-I from their initial appointment on 07.03.2012 with all consequential benefits by concluding their 10 years of continuous service before termination for pension benefits.

For Petitioner : Mr.L.Rajiah
For Respondents : Mr.A.K.Baskarapandian,
Spl.Govt.Pleader

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order G.O(Ms)No.268 (Health and Family Welfare N1 Department), dated 20.09.2010, issued by the 1st respondent.



respondent and quash the same as illegal, incompetent and consequently directing the Respondents to redesignate the petitioner Union to Health Inspectors GR-I from their initial appointment on 07.03.2012 with all consequential benefits by concluding their 10 years of continuous service before termination for pension benefits.

2. Even though the petitioner has come forward with the aforesaid prayer, the petitioner submitted that he already made a representation to the respondent, dated 28.01.2015 and the request of the petitioner may be considered based on the decision of this Court dated 23.07.2010 in W.P(MD)No.8339 of 2008 and W.P(MD) No.14592 of 2008.

3. In the light of the submission made by the learned counsel appearing for the petitioner, the respondents are directed to consider the representation of the petitioner, dated 28.01.2015, taking into consideration of the decisions of this Court made in W.P(MD)No.8339 of 2008 and W.P(MD)No.14592 of 2008, dated 23.07.2010 and if the said decision is applicable to the case of the petitioner, orders may be passed, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above observation, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

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

2.The Director of Public Health and
Preventive Medicine,
359, DMS Building, Annasalai,
Chennai - 600 006.

+1cc to special Government Pleader Sr.No.10504

mpk

sm:MR:10.3.2017:2P/4C