

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

Writ Petition No.2768 of 2018

P. Thenmozhi

.. Petitioner

vs.

1.The Director of Public Health and Preventive
Medicine, Chennai - 600 006

2. The Deputy Director of Health Services,
Nagapattinam, Nagapattinam District

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 5.12.2017 with regard to correction of the date of regularization as 14.7.1997 instead of 13.7.1998 in all the records and grant her consequential benefits.

For petitioner : Mr.P. Mohanraj

For respondents : Mr.V.Prabhu
Government Advocate

ORDER

Mr.V. Prabhu, learned Special Government Pleader takes notice for the respondents and by consent of both the parties, the main writ petition has been taken up for final disposal.

2. The petitioner, who is serving as Multi Purpose Health Supervisor (Health Inspector Grade-I) at the Office of the Deputy Director of Health Services, Nagapattinam has come to this Court, seeking a direction to alter the date of regularisation as 14.7.1997 instead of 13.7.1998 in all the records, which has been committed inadvertently.

3. The learned counsel for the petitioner submitted that on 14.07.1997, the petitioner was initially appointed as Field Worker. Thereafter, considering her continuous employment, the

Deputy Director of Health Services, Nagapattinam, Nagapattinam District, the second respondent herein, has regularised the service of the petitioner vide Na.Ka.No.4889/98 dated 14.12.1998 making it clear that her service has been regularised with effect from 14.07.1997 and she was declared to have satisfactorily completed the period of probation on the afternoon of 13.07.1998.

4. Thereafter, she was given promotion to the post of Field Assistant on 25.07.2005 and again after two years, she was promoted to the post of Laboratory Technical Grade III on 26.09.2007. Within a few months, she was further promoted as Multi Purpose Health Supervisor (Health Inspector Grade-I) on 27.12.2017.

5. Since a mistake has crept in, a proposal was submitted to the Director of Public Health and Preventive Medicine, the first respondent herein in the year 2000 with regard to the date of her regularisation in the post of Field Worker and in that, the date of her regularisation was wrongly mentioned as 13.7.1998 instead of 14.07.1997. The petitioner has given a representation on 05.12.2017 and the same has not been considered.

6. Since the order of regularisation clearly shows that her service has been regularised with effect from 14.7.1997, now there is a duty cast upon the first respondent to consider the same.

7. Since the petitioner has sought for a limited prayer to consider her representation, without going into the merits of the matter, the first respondent is directed to consider the representation of the petitioner dated 05.12.2017 and pass orders on merits and in accordance with law on the basis of original service records, within a period of four weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Deputy Registrar

/true copy/

Sub Asst. Registrar

To

1.The Director of Public Health and Preventive
Medicine, Chennai - 600 006

2. The Deputy Director of Health Services,
Nagapattinam, Nagapattinam District

+ 1 cc to M/s.P.Rajendran, Advocate, SR.9670
+ 1 cc to The Govt.Pleader, SR.10312

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nr 05/03/2018



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