

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.32330 of 2018

V.Nagavalli

... Petitioner

Vs

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

2.The Deputy Director of Health Services
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to consider the petitioner's representation dated 09.11.2017 for regularisation of the priod from 02.07.2003 to 25.01.2005 as a period of compulsory wait in the light of the report submitted by the Deputy Director of Health Services, Paramakudi in Na.Ka.No.830/A2/2018 dated 28.05.2018.

For Petitioner : M/s.P.Rajendran

For Respondents : Mr.R.S.Selvam,
Government Advocate

सत्यमेव जयते
O R D E R

Petitioner, who is working as Village Health Nurse at Villupuram District suffered a transfer order on 13.06.2003. She was not permitted to join duty in the transferred location till 20.01.2005 and in respect of the same, she has been making appropriate representations to the concerned authorities. She was able to join duty only on 21.01.2005. The problem of non regularisation of services had hit her hard only when the revised pay fixation and sanction of increment was denied to the petitioner. Thereafter, she has made representations for regularising her services from the period 02.07.2003 to 25.01.2005. On her representations, the first respondent called for a report from the Deputy Director of Health Services /

second respondent and by the order dated 28.05.2018, the second respondent conceded that the period from 02.07.2003 to 25.01.2005, shall be waiting period for the petitioner and it has to be treated as compulsory wait. Therefore, the petitioner has filed the present writ petition for directing the first respondent to consider the petitioner's representation dated 09.11.2017 seeking regularisation of the period from 02.07.2003 to 25.01.2005 as a period of compulsory wait.

2. Mr.R.S.Selvam, learned Government Advocate takes notice on behalf of the respondents.

3. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the 1st respondent to consider the representation of the petitioner dated 09.11.2017 in the light of the proceedings of the second respondent in Na.Ka.No.830/A2/2018 dated 28.05.2018 and to pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KST

To

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

2.The Deputy Director of Health Services
Paramakudi, Ramanathapuram District.

+1 cc to Mr.P.Rajendran, Advocate Sr.No.84726

+1 cc to The Government Pleader, Sr.No.85087

W.P.No.32330 of 2018

RK(CO)
CSL/04.01.2019