

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1909 of 2019

A.Nagarathinam

.. Petitioner

Vs.

1. Government of Tamil Nadu
Rep. by its Principal Secretary to Government
Health and Family Welfare Department
Fort St.George
Chennai 600 009

2. Director of Medical Education
No 162, EVR Periyar Salai
Kilpauk
Chennai - 600 010

3. Dean
Rajiv Gandhi Government Hospital
Poonamallee High Road
Park Town
Chennai 600 003

4. Dean
Government Stanley Hospital
Old Jail Road
Chennai 600 001.

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Declaration, declaring the action of the respondents in not upgrading the post of Workshop Superintendent in the 2nd respondent Hospital into that of Assistant Executive Engineer (Mechanical) as illegal, arbitrary and contrary to law and consequently direct the respondents to upgrade the service of the petitioner in the post of Assistant Executive Engineer from the date when he had completed 10 years of service in the post of Workshop Superintendent viz., 22.08.1998 with all other monetary and attendant benefits.

For Petitioner : M/s.Balan Haridas

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The grievances of the writ petitioner is that his right of upgrading the post of Workshop Superintendent in the 2nd respondent Hospital into that of Assistant Executive Engineer has not been granted.

2. The learned counsel for the writ petitioner states that the 3rd respondent recommended the case of the writ petitioner to the 2nd respondent for appointment to the post of Assistant Executive Engineer (Mechanical) in his proceedings dated 26.04.2010. Consequently, the 2nd respondent also forwarded the recommendation to the 1st respondent on 04.05.2011. In respect of the proposals, no action has been taken to consider the case of the writ petitioner. The writ petitioner has also submitted his representation in this regard on 13.10.2009 and his representation has not been considered. Under these circumstances, the writ petitioner is constrained to move the present writ petition.

3. Thus, without going in to the merits of the matter, the 1st respondent is directed to consider the representation submitted by the writ petitioner on 13.10.2009, in the light of the letter sent by the 3rd respondent on 26.04.2010 and by the 2nd respondent on 04.05.2011 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

4. The writ petitioner is directed to enclose the copies of the representation and other relevant orders and documents, if any, along with the orders passed in the present writ petition.

5. Accordingly, the writ petition stand disposed of. No costs.

Sd/-
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

Kmm

To

1. Government of Tamil Nadu
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Health and Family Welfare Department
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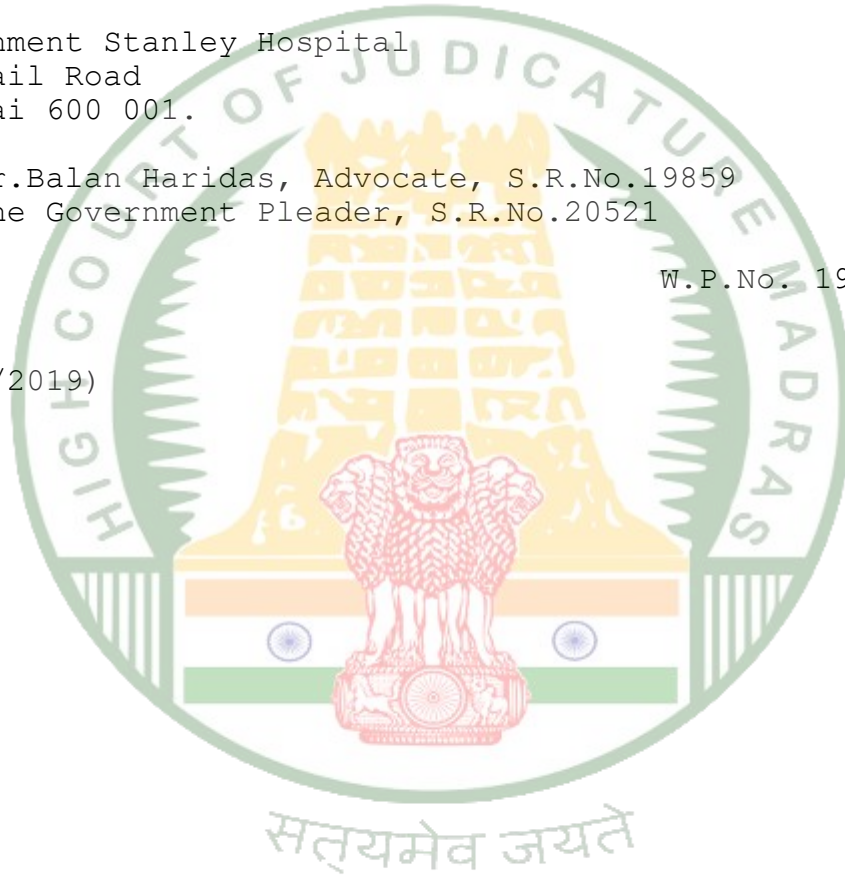
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+1cc to Mr.Balan Haridas, Advocate, S.R.No.19859
+1cc to the Government Pleader, S.R.No.20521

W.P.No. 1909 of 2019

VSN II (CO)

RRS (05/04/2019)



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