

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM

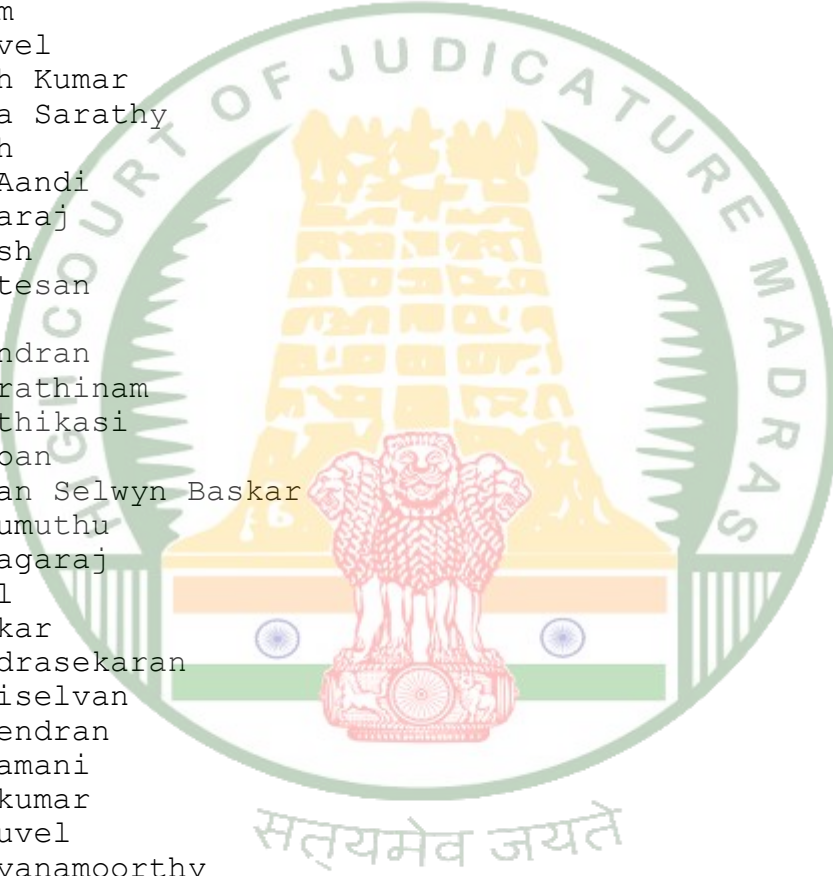
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21756 of 2019

and

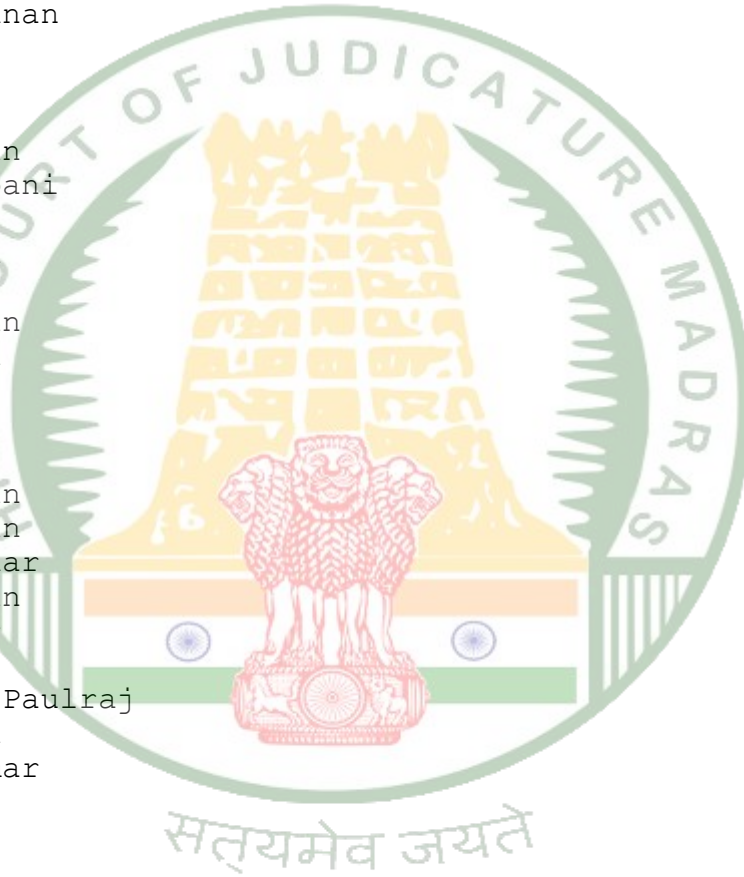
W.M.P.No.20978 of 2019

1. J.Selvam
2. M.Vetrivel
3. R.Rajesh Kumar
4. J.Partha Sarathy
5. N.Suresh
6. Ramesh Aandi
7. V.Thangaraj
8. R.Prakash
9. G.Venkatesan
10. K.Raju
11. E.Rajendran
12. C.Munirathinam
13. C.Moorthikasi
14. G.Thamban
15. S. Jegan Selwyn Baskar
16. S.Alagumuthu
17. K.Thilagaraj
18. M.Sunil
19. B.Shankar
20. M.Chandrasekaran
21. K.Kalaiselvan
22. P. Rajendran
23. G.Subramani
24. N.Sivakumar
25. S.Muthuvel
26. R.Narayanamoorthy
27. P. Adhikesavan
28. K.Jayapal
29. E.Prabakaran
30. R.Senthamarai Kannan
31. M.Selvam
32. P.Ramkumar
33. G.Thiruvikraman
34. R.Ayubkhan
35. R.Unnikumar
36. R. Paramasivam
37. P.Tamilselvan
38. N.M.Durai



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39. M.Ashokkumar
40. S.M.Selvan
41. N.Selvakumar
42. T.Tamilselvan
43. R.Kannan
44. T.Ansar
45. S.Gunasekaran
46. V. Sekar
47. M.Viswanathan
48. R.Thanikasalam
49. P.Satheesh
50. S.Muthuramalingam
51. K.Balakrishnan
52. V.Dhanapal
53. R.Panneer
54. P.Prakash
55. M.Kannabiran
56. V.Kothandapani
57. M.Ramkumar
58. V.Saravanan
59. V.Babu
60. P.Jegadeesan
61. K.Selvarasu
62. E.Murugan
63. K.Sathiya
64. R.Murugan
65. G.Dhinakaran
66. K.Srinivasan
67. S.S.Ravinthar
68. K.Kaburannan
69. Y.Rasukumar
70. S.Rajan
71. M.Nepolian Paulraj
72. M.Saravanan
73. P.Sureshkumar
74. A.Palanivel
75. A.Karthik
76. K.Rajkumar
77. T.Raj
78. A.Christyraj
79. D.Thiruniraiselvan
80. A.Leo Lawrence
81. S.Josephraj
82. P. Murugavel
83. S.Natarajan
84. N.Alexander
85. T.Ezhilarasan
86. P. Jayavel
87. P.Yogeshkumar
88. R.Ananda Babu



89. K.Chinnappan
90. S.Pandiyan
91. M.Selvakumar
92. M.Vigneshwaran
93. N.Mariappan
94. M.Antony Amalraj
95. M.Amirtharaj
96. P.Sukumaran
97. T.Manivel
98. S.Arivazhagan
99. M.Balasubramani
100. V.Gandhi
101. M.Ramasamy
102. T.M.Raja
103. P.Boomi
104. P.Ramar
105. V.N.R.Balasubramani
106. B.Nagoor Meeran
107. P.Ramesh Kumar
108. S.Muthuraj
109. M.Muthukumar
110. S.Karthigeyan
111. R.Viswanathan
112. M.Azhkarsami Mani
113. P. Muniyasami
114. M.V.S.Senthilnathan
115. P.Atham Raja
116. M.Easwaramoorthi
117. S.Mohammed Mobarak
118. B.Aravind Kumar
119. R.Suresh
120. P.Senthilkumar
121. B.Jawahar
122. B.Ragul
123. M.Kumar
124. T.Gunasekaran
125. K.Dhanasekaran
126. R.Sudhan
127. A.Jeyakumar
128. K.Sivakumar
129. A.Vigneshwaran
130. N.Muthupandi
131. V.Balasubramanian
132. K.Muthuvijayan
133. M.Anbazhagan
134. M.Selvakumar
135. V.Santhoshkumar
136. J.Rajkumar
137. T.Arokkiadurai Raj
138. M.Murugesan



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139. A.Alexander
140. P.Venkatrajan
141. E.Suppuraja
142. T.Shanmugam
143. J.Ramaraj
144. P.Kulothungan
145. A.Pandiyan
146. K.Ganapathi
147. S.Shanmugam
148. R.Kabilan
149. A.Kalanithi
150. S.Ayyanar
151. N.Kumar
152. T.Manivel
153. N.Ganesan
154. S.Gunasekaran
155. S.Ramesh
156. P.Karuppusamy
157. D.Rajmohan
158. K.Muruganandam
159. M.Rayappa Alexander
160. M.Thirumurugan
161. S.Kalimuthu
162. M.Rajamanickam
163. N.Mohanraj
164. N.Suthahar
165. K.Rajkumar
166. P.Jeevarathinam
167. P.Ganesan
168. K.Sakthivel
169. R.Balraj
170. R.Murugesan
171. R.Murugan
172. S.Yuvaraj
173. S.Sathishkumar
174. R.Regischinapparaj
175. R.Rajasekaran
176. R.Kumaravel
177. G.Murali
178. A.Anandakumaravel
179. A.Saravanaperumal
180. P.Murugesan
181. J.Navakumar
182. S.Parthasarathi
183. M.Saravana Kumar
184. K.Ilayaraja
185. R.Thangadurai
186. K.Murugaiah
187. G.Gnanapandithan
188. P.Murugan



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189. T.Thangapandiyan
190. G.Sangusamy
191. R.Marimani
192. A.Santhanakumar
193. S.Nagarajan
194. R.Anandakumar
195. K.Pandi
196. S.Paulkannan
197. P.Sureshkumar
198. G.Gururaj
199. C.Ravi
200. C. Senthil Kumar.

... Petitioners

Vs.

The State of Tamil Nadu
Represented by its Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to regularize the services of the Petitioner as Mobile Medical Unit Driver or in any other suitable post available under the Respondent form the date of his initial appointment i.e., 07.08.2009.

For Petitioners : Mr.M.T.Arunan
Assisted by
M.A.Aruneshe
S.Malar Selvi
P.Sobana Devi

For Respondent : Mr.R.S.Selvam
Government Advocate

ORDER

This petition has been filed by the petitioners, seeking for the issuance of Writ of Mandamus to direct the respondent to consider the representation of the petitioners dated 10.11.2018 and pass an appropriate orders to regularize the services of the petitioners as Mobile Medical Unit Driver within stipulated time may be fixed by this Court.

2. According to the petitioners they have been appointed as Drivers on daily wages / consolidated pay basis by the respective District Collectors and they have been paid a consolidated sum of Rs.13,540/- per month. The petitioners claim that they have put in more than 10 years of continuous service on contract basis.

3. According to the petitioners, as they have put in continuous service for 480 days in two calendar years, they are entitled for regularization. In this regard, the petitioners made a representation dated 10.11.2018, to the respondent, seeking for regularization of their services in the post of Driver in Mobile Medical Units. Since no action has been forthcoming from the respondent, the petitioners are constrained to approach this Court.

4. The learned counsel appearing for the petitioners would submit that the petitioners have been appointed as Drivers on daily wages/ consolidated pay basis for more than 10 years and they have been longing for regularization of their services. However, despite the representations made by the petitioners, the respondent has not taken any earnest efforts to regularise the services of the petitioners. Hence, the learned counsel for the petitioners would implore this Court to direct the respondent to regularise the services of the Petitioners.

5. Time and again, this Court has considered the grievance of the similarly placed persons who have put in more than 10 years of services on temporary basis and directed the authorities to consider the claim of the employees to pass appropriate orders for regularization.

6. The learned counsel has produced the copy of the order dated 13.08.2019 passed by this court in W.P.No. 15989 of 2019, wherein, this court has considered the claim of the petitioners therein and directed the authority to pass appropriate orders granting the benefits of regularization along with all attendant and consequential benefits.

7. Considering the facts and circumstances, and submissions made by the learned counsel for the petitioners, this Court disposes the present Writ Petition, with a direction to the respondent to consider the representation dated 10.11.2018 made by the petitioners and pass appropriate orders in accordance with law.

8. The respondent in this regard is directed to pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

ebsi

To

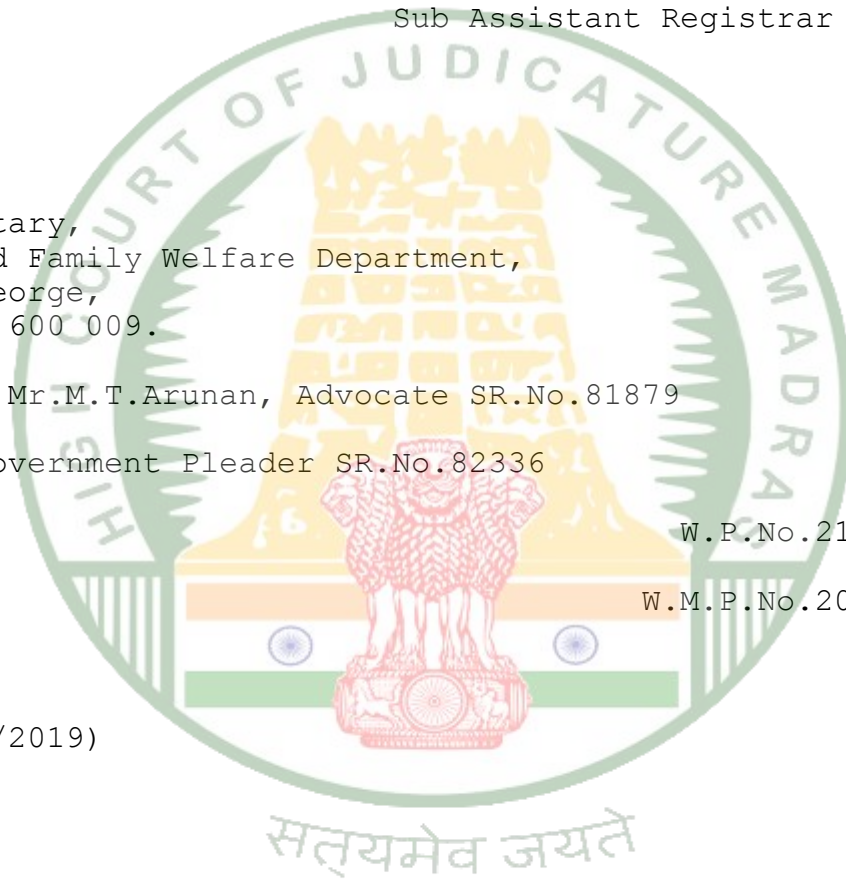
The Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai - 600 009.

+14ccs to Mr.M.T.Arunan, Advocate SR.No.81879

+1cc to Government Pleader SR.No.82336

W.P.No.21756 of 2019
and
W.M.P.No.20978 of 2019

VD(CO)
GMY(21/10/2019)



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