

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.09.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.22544 of 2019

K.Vadivelan

...Petitioner

vs

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government
Health and Family Welfare Department,
Secretariat, Fort St. George
Chennai-600 009.
- 2.The Director,
Directorate of Medical Education
Kilpauk,
Chennai-600 010.
- 3.The Project Director,
Tamil Nadu Health System Project
Nungambakkam,
Chennai-600 006.
- 4.The Director
O/o. Director of Medical and
Rural Health Services,
Teynampet,
Chennai-600 006.
- 5.The Joint Director,
O/o. Joint Director of Medical and
Rural Health Services,
Kumbakonam
Thanjavur District,
- 6.The Chief Medical Officer,
Government Hospital
Kumbakonam
Thanjavur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reinstate the petitioner in the post of Hospital Worker with all service and monetary benefits in the light of the order passed by this Court in W.A(MD) No.743 of 2015 dated 22.04.2016 complied by the 1st respondent in G.O (Ms) No.325 Health and Family Welfare (C1) Department dated 11.09.2017 within the time limit that may be stipulated by this Court by considering the representation dated 25.07.2019.

For Petitioner : Mr.B.Siddeswaran

For Respondents: Mr.R.S.Selvam

Government Advocate for R1, R3 to R6
Mr.V.Kadirvelu
Special Government Pleader for R2

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents to reinstate the petitioner in the post of Hospital Worker with all service and monetary benefits in the light of the order passed by this Court in W.A (MD) No.743 of 2015 dated 22.04.2016 complied by the 1st respondent in G.O (Ms) No.325 Health and Family Welfare (C1) Department dated 11.09.2017 within the time limit that may be stipulated by this Court by considering the representation dated 25.07.2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for R1, R3 to R6 and the learned Special Government Pleader for R2. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner was appointed in the post of Hospital Worker and the wages for the post of Hospital Worker was fixed as Rs.990/- per month which was sanctioned by the respondents and the same was encashed and was paid through the society till 2006 and the petitioner continued in the outsource employment till 2013, and his service was not regularised. Hence the petitioner made representation for regularisation of service on 25.07.2019. Till date, the petitioner's representation was not considered. Hence the present writ petition is filed.

4.The learned counsel for the petitioner submitted that it would suffice if a direction is passed to the respondents to consider the representation of the petitioner dated 25.07.2019, within a reasonable time as fixed by this Court.

5.The learned counsel appearing for the respondents accede to the submission made by the learned counsel for the petitioner and submitted that if any such representation was received by the respondents, the same will be considered on merits and in accordance with law.

6.Thus, without going into the merits of the case, this Court is inclined to direct the respondents to consider the representation of the petitioner dated 25.07.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government Health and Family Welfare Department, Secretariat, Fort St. George Chennai-600 009.
- 2.The Director, Directorate of Medical Education Kilpauk, Chennai-600 010.
- 3.The Project Director, Tamil Nadu Health System Project Nungambakkam, Chennai-600 006.
- 4.The Director O/o. Director of Medical and Rural Health Services, Teynampet, Chennai-600 006.

5.The Joint Director,
O/o. Joint Director of Medical and
Rural Health Services,
Kumbakonam
Thanjavur District,

6.The Chief Medical Officer,
Government Hospital
Kumbakonam
Thanjavur District.

+lcc to the Government Pleader SR.82817

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(CO)
CB(14/11/2019)



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