

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.33603 of 2019

V.Mohan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai-9

2.The Director of Medical Education,
Directorate of Medical Education,
162, EVR Salai,
Kilpauk, Chennai-600010.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 18.07.2019 made to the 1st respondent and appoint the petitioner to the post of Social Worker or in any other post that the petitioner may be found qualified for in the Government Hospital of Thoracic Medicine, Tambaram Sanatorium, Chennai-600 047.

For Petitioner : Ms.S.Varsha

For Respondents : Mr.A.N.Thambidurai, Spl.G.P

O R D E R

This petition has been filed by the petitioner to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 18.07.2019 made to the 1st respondent and appoint the petitioner to the post of Social Worker or in any other post that the petitioner may be found qualified for in the Government Hospital of Thoracic Medicine, Tambaram Sanatorium, Chennai-600 047.

2.The petitioner was appointed on contractual basis to the position of the Chief Minister's Comprehensive Health Insurance Scheme (CMCHIS) at the Government Hospital of Thoracic Medicine (GHTM), Tambaram Sanatorium from 01.07.2014. In the year 2016, the petitioner came to know that the post of Social Worker at

GHTM is lying vacant and the petitioner is also possessing the requisite qualification for the aforementioned post, the petitioner made an application to the Superintendent of the Social Worker to consider him for the said post. The Superintendent also made a favourable recommendation to the 2nd respondent to appoint the petitioner to the post of Social Worker and the petitioner also made a representation to the 1st respondent vide letter dated 18.07.2019, detailing the various services contributed by the petitioner to GHTM and its patients and requested to be appointed to the said post. However, no action has been taken in this regard. Hence, this writ petition.

3.The learned counsel for the petitioner submitted that, it would suffice if a direction is issued to the 2nd respondent to take decision on the proposal forwarded by the Superintendent of the Government Hospital of Thoracic Medicine on 29.11.2016, within a reasonable time fixed by this Court.

4.The learned Special Government Pleader appearing for the respondents would accede to the submission made by the learned counsel for the petitioner and submitted that if any such proposal has been forwarded by the Superintendent of the Government Hospital of Thoracic Medicine, the same will be considered on merits and in accordance with law.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 2nd respondent to take a decision on the proposal forwarded by the Superintendent of the Government Hospital of Thoracic Medicine on 29.11.2016 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.

6.With the above directions, the writ petition stands disposed of. No costs.

Sd/-

सत्यमेव जयते Assistant Registrar (CS-VIII)

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Sub Assistant Registrar

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To.

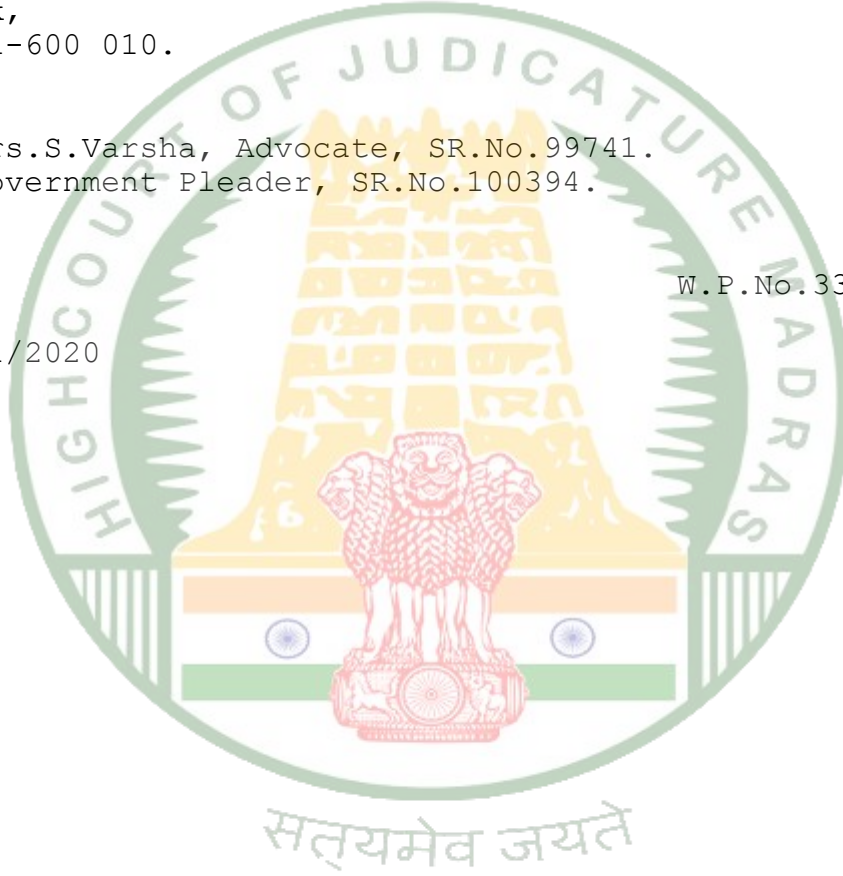
1.The Secretary to Government,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai-9

2.The Director of Medical Education,
Directorate of Medical Education,
162, EVR Salai,
Kilpauk,
Chennai-600 010.

+1cc to Mrs.S.Varsha, Advocate, SR.No.99741.
+1cc to Government Pleader, SR.No.100394.

W.P.No.33603 of 2019

AK(CO)
CSR: 08/01/2020



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