

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.32452, 32455, 32456, 32459, 32460 and 32461 of 2018

B. Devanathan

..Petitioner in WP.No.32452 of 2018

K. Raman

..Petitioner in WP.No.32455 of 2018

P. Rajamohan

..Petitioner in WP.No.32456 of 2018

M. Dheenadhayalan

..Petitioner in WP.No.32459 of 2018

M. Tamilarasi

..Petitioner in WP.No.32460 of 2018

R. Kala

..Petitioner in WP.No.32461 of 2018

vs

1. The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George,
Chennai- 600 009.

सत्यमेव जयते

...R1 in all WPs.

2. The Commissioner of Indian Medicine & Homeopathy,
Arumbakkam,
Chennai - 600 106.

..R2 in all WPs.

3. The District Siddha Medical Officer,
Government District Headquarters Hospital,
Cuddalore.

...R3 in W.P.Nos.32452, 32455 &

32456 of 2018

4. The District Siddha Medical Officer,
Government District Headquarters Hospital,
Villupuram.

...R3 in W.P.Nos.32459, 32460 &

32461 of 2018

Respondents

Prayer in WP.No.32452 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus or any other appropriate writ, order or direction in the nature of writ to direct the respondents to absorb the petitioner as Multi purpose workers in the Department of Indian Medicine and Homeopathy including Yoga and Naturopathy Life Style Clinics established at all District Headquarters Hospitals and Modern Medical College Hospitals under G.O.Ms.No.257 Health & Family Welfare (IM2-1) Department dated 05.11.2013 by regularizing his service and to pass any other further orders as this Hon'ble Court may deem fit.

Prayer in WP.Nos.32455, 32456, 32459, 32460 and 32461 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus or any other appropriate writ, order or direction in the nature of writ to direct the respondents to absorb the petitioner as Multi purpose workers in the Department of Indian Medicine and Homeopathy including Yoga and Naturopathy Life Style Clinics established at all District Headquarters Hospitals and Modern Medical College Hospitals under G.O.Ms.No.257 Health & Family Welfare (IM2-1) Department dated 05.11.2013 by regularizing his service and to pass any other further orders as this Hon'ble Court may deem fit.

Prayer in WP.No.32456 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue

writ of mandamus or any other appropriate writ, order or direction in the nature of writ to direct the respondents to absorb the petitioner as Multi purpose workers in the Department of Indian Medicine and Homeopathy including Yoga and Naturopathy Life Style Clinics established at all District Headquarters Hospitals and Modern Medical College Hospitals under G.O.Ms.No.257 Health & Family Welfare (IM2-1) Department dated 05.11.2013 by regularizing his service and to pass any other further orders as this Hon'ble Court may deem fit.

For Petitioners : Ms. Swadhi Subramaniam

For Respondents : Mrs. R. Janaki, AGP

C O M M O N O R D E R

The issue involved in these Writ Petitions are one and the same and hence a common order is passed.

2. The case of the petitioners is that the petitioners were appointed as Multipurpose workers under the National Rural Health Mission Scheme and the Government issued G.O.Ms.No.257 Health and Family Welfare (IM2-1) Department dated 05.11.2013 establishing Yoga and Naturopathy life cycle clinics at all District Headquarters hospitals and Modern Medical College and further the Government also issued G.O.Ms.848 Health & Family Welfare (IM2-1) dated 20.08.2014 permitting the Commissioner of Indian Medicine, & Homeopathy, 2nd respondent herein, to fill up the post of Assistant Medical Officer (Yoga & Naturopathy), Therapeutic Assistant & Multi Purpose worker by absorbing the already working candidates under National Rural Health Mission Scheme. In order to avail the benefit of the above said G.O. the petitioners made a representation to the second respondent.

3. The learned counsel for the petitioners would submit that it would be suffice to issue direction to the second respondent to consider the representation dated 28.11.2018 and pass orders on merits and in accordance with law.

4. The Additional Government Pleader appearing for the respondents concedes with the limited request made by the learned counsel for the petitioners.

5. Without expressing any opinion on merits of the case and considering the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the second respondent to consider the representation dated 28.11.2018 submitted by the petitioners and pass orders in accordance with law and as per the scheme within a period of four (4) weeks from the date of receipt of a copy of this order. With the above directions, the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Principal Secretary to Government,
Health & Family Welfare Department,
Fort St. George,
Chennai- 600 009.

2. The Commissioner of Indian Medicine & Homeopathy,
Arumbakkam,
Chennai - 600 106.

3. The District Siddha Medical Officer,
Government District Headquarters Hospital,
Cuddalore.

4. The District Siddha Medical Officer,
Government District Headquarters Hospital,
Villupuram.

+1cc to Mr.R.Prema Narayanana, Advocate SR.No. 75916

+1 cc to Government Pleader Sr.No. 74524

W.P.Nos.32452, 32455, 32456, 32459,
32460 and 32461 of 2018

sr

A.SK(12/11/2019)