



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.10297 of 2017

T.Jebasingh

.. Petitioner

vs.

1.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Medical Services Corporation Ltd.,
No.417, Pantheon Road,
Egmore, Chennai - 600 008.

3.The Pharmacist,
District Drug Warehouse,
Nagercoil, Asaripallam Post,
Kanyakumari District - 629 201.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration declaring the action of the 3rd respondent in denying employment to the petitioner as a packer with effect from 03.02.2014 as illegal and consequently direct the respondents to re-engaging the petitioner as packer and consequently direct the respondents to regularize his service in the post of packer with all consequential benefits with effect from 19.03.2001.

For Petitioner : Mr.A.Sivasubramanian
For R1 : Mrs.J.Padmavathy Devi
Special Government Pleader
For R2 : Mr.M.P.Senthilkumar

ORDER

This writ petition has been filed seeking a declaration to declare the action of the third respondent in denying employment to the petitioner as a Packer with effect from 03.02.2014 as illegal and consequently direct the respondents to re-engage the petitioner as Packer and consequently direct the respondents to regularize his service in the post of Packer with all consequential benefits with effect from 19.03.2001.

2.Heard the learned counsel for the petitioner; the learned Special Government Pleader for the first respondent and the learned counsel for the second respondent.

3.After advancing some arguments, the learned counsel appearing for the petitioner confines the prayer made in the writ



petition to the extent of seeking a direction to the respondents for consideration of the petitioner's representation dated 25.09.2015.

4.The learned Special Government Pleader appearing for the first respondent submitted that the representation of the petitioner is of the year 2015 and therefore, the petitioner may be directed to submit a fresh representation to the respondents and on receiving such representation, the same will be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the petitioner to submit a fresh representation along with a copy of this order to the respondents, within a period of two weeks from the date of receipt of a copy of this order. On receiving such representation, the same shall be considered by the respondents and necessary orders be passed thereon on merits and in accordance with law within a period of six weeks thereafter, after due opportunity of hearing to the petitioner.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai - 600 009.

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+1 CC to M/s.A.SIVASUBRAMANIAN, Advocate, SR-63715.

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