



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.25130 of 2019

S.Balasubramanian

... Petitioner

-Vs-

1.The State of Tamil Nadu

Represented by its Secretary to Government
Health and Family Welfare Department
Secretariat, Fort St.George
Chennai

2.The Director of Medical Education

No.167, E.V.R.Periyar Salai
Kilpauk, Chennai -10

3.Dean

Thoothukudi Government Medical College
Thoothukudi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularize the service of the petitioner in the post of Hospital Worker (Attendant in Radiology Department) in the 3rd respondent Medical College Hospital in the light of G.O(Ms).No.325, Health and Family Welfare (C1) Department, dated 11.09.2017 based on the petitioner's representation, dated 18.06.2019 submitted through proper channel, ie. to the third respondent in person within the time limit that may be stipulated by this Court.

For Petitioner	: Mr.N.Adithya Vijayalayan
For R1	: Mr.V.R.Shanmuganathan
	Special Government Pleader

ORDER

This Writ petition has been filed for a direction to the respondents to regularize the service of the petitioner in the post of Hospital Worker (Attendant in Radiology Department) in the 3rd respondent Medical College Hospital in the light of G.O(Ms).No.325, Health and Family Welfare (C1) Department, dated 11.09.2017, based on the petitioner's representation, dated 18.06.2019, submitted through proper channel, ie. to the third respondent in person within the time limit to be fixed by this Court.



2.Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice on behalf of the first respondent. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was appointed as Attender in Radiology Department in the third respondent Medical College during the year 2002 and still he is working in the same post. In this circumstances, similarly placed persons like that of the petitioner herein, who were appointed in the third respondent Medical College and Hospital, approached this Court in W.P(MD).No.15909 of 2012 and sought for a direction to the respondents to regularise their services in the third respondent Medical College with all attendant benefits. This Court, by order dated 09.01.2015, allowed the Writ petition. Against which, the Government preferred an appeal in W.A (MD).No.743 of 2015 and the same was dismissed by the Division Bench of this Court, dated 22.04.2016. The Government passed G.O.Ms.No.325, Health and Family Welfare (C1) Department, dated 11.09.2017 and regularised the service of the employees of the third respondent Medical College. Hence, the petitioner made a representation dated 18.06.2019 to the respondents, requesting them to regularise his service in the post of Hospital Worker (Attender in Radiology Department) by extending the benefit in the light of G.O.Ns.No.325, dated 11.09.2017. But, the respondents have not taken any action so far. Hence, the petitioner has come up with the present Writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first respondent.

5.Considering the facts and circumstances of the case, without going into the merits of the case, this Court is inclined to direct the respondents to consider the representation, dated 18.06.2019 submitted by the petitioner, in the light of G.O.Ms.No.325, Health and Family Welfare (C1) Department, dated 11.09.2017, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

msa

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To

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

2.The Director of Medical Education
No.167, E.V.R.Periyar Salai
Kilpauk, Chennai -10

3.Dean
Thoothukudi Government Medical College
Thoothukudi

+1 CC to M/s.N. ADITHYA VIJAYALAYAN, Advocate (SR-102026[F] dated 28/11/2019)

+1 CC to M/s.SPL GP (SR-102384[F] dated 28/11/2019)

W.P. (MD) No.25130 of 2019
27.11.2019

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