



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM:

THE HONOURABLE **MS.JUSTICE V.M.VELUMANI**

W.P.(MD) No.25413 of 2019

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- 1.M.Karuppasamy
- 2.V.Saraswathi
- 3.M.Saroja
- 4.U.Chinna Mariappan
- 5.M.Muthulakshmi
- 6.U.Murugan
- 7.K.Soundaravalli
- 8.K.Panchavarnam
- 9.S.Muthulakshmi
- 10.N.Patchai Perumal
- 11.S.Senthoor Pandi
- 12.S.Thomma Sahaya Ruban
- 13.D.Christopher Pitchai
- 14.J.Joseph Arthur
- 15.P.Ponraj
- 16.J.Ananthajothi
- 17.A.Vasanthi

... Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep.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, to direct the respondents to regularize the service of the petitioners in the post of Sanitary Worker, Hospital Worker, Lab Assistant, ECG Attender and Pharmacist respectively in the third 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 petitioners' joint representation dated 18.06.2019 submitted through proper channel i.e., to the third respondent in person



within the time limit that may be stipulated by this Court.

For Petitioners : Mr.N.Adithya Vijayalayan
For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader.

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ORDER

This Writ Petition is filed to direct the respondents to regularize the service of the petitioners in the post of Sanitary Worker, Hospital Worker, Lab Assistant, ECG Attender and Pharmacist respectively in the third 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 petitioners' joint representation dated 18.06.2019 submitted through proper channel i.e., to the third respondent in person within a time frame.

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

3.According to the petitioners, the Government, by G.O.Ms. No.212, Personnel and Administrative Reforms (P) Department, dated 29.11.2001, banned public employment in State Government Services. Therefore, the third respondent Medical College and Hospital was in severe shortage of manpower. Hence, the petitioners 1 to 12 were appointed as Sanitary Workers and the thirteenth petitioner was appointed as Hospital Worker and the petitioners 14 and 15 were appointed as Pharmacists and the sixteenth petitioner was appointed as Lab Assistant and seventeen petitioner was appointed as ECG Attender in the said Medical College during the years 2002 and 2003 respectively, through contractors. Thereafter, the Government revoked the above said G.O., vide G.O.Ms.No.14, Personnel and Administrative Reforms Department, dated 07.02.2006. The petitioners were in service for 15 years in the same posts. However, the respondents had not regularised their services. In this regard, the petitioners jointly made a representation, dated 18.06.2019, to the respondents. However, till date, no order has been passed. Hence, the petitioners have come out with the present Writ Petition.

4.Considering the nature of relief sought for in the Writ Petition, this Court without going into the merits of the matter, directs the respondents to consider the representation of the petitioners dated 18.06.2019, on merits and pass appropriate orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

gns

To

1. The 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.

+1 CC to MR.N. ADITHYA VIJAYALAYAN, Advocate (SR-102174[F] dated 28/11/2019)

+1 CC to SPL GP (SR-102678[F] dated 29/11/2019)

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