

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.02.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.4348 of 2020

A.Sivapakkiyam

...Petitioner

Vs.

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

2.The Director,
Public Health and Preventive Medicine,
DMS Complex, Teynampet,
Chennai 600 006.

3.The Deputy Director,
Public Health Department,
Opp. To Government General Hospital,
Salem 636 001.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to regularise the petitioner's service forthwith as per Government Order in G.O.(ms).No.325, dated 20.11.2012.

For Petitioner :Mr.S.Kolandasamy

For Respondents :Mr.P.S.Shivashanmugasundaram,
Special Government Pleader

O R D E R

This writ petition has been filed for the issuance of a writ of mandamus, directing the respondents to regularize the services of the petitioner as per G.O.(Ms).No.325, dated 20.11.2012.

2.The case of the petitioner is that he is working in the 3rd respondent Multipurpose Hospital Worker(MPHW). The petitioner has been working for the last 6 1/2 years in the 3rd respondent Hospital and the grievance of the petitioner is that no steps have been taken to regularize the services of the petitioner.

According to the petitioner, the services of the petitioner has to be regularized in accordance with G.O.(Ms).No.325, dated 20.11.2012, which contemplates regularization after the completion of five years period. The petitioner has given a representation to the respondents on 20.12.2019 seeking for regularization as per the above Government order. Since, the same was not considered, the present writ petition has been filed before this Court.

3.Heard Mr.S.Kolandasamy, learned counsel appearing on behalf of the petitioner and Mr.P.S.Sivashanmuga Sundaram, learned Special Government Pleader appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd and 3rd respondents to send the service particulars regarding the petitioner to the 1st respondent, within a period of four weeks from the date of receipt of copy of this order and the 1st respondent on receipt of those particulars, shall pass appropriate orders, within a period of six weeks, thereafter. The 1st respondent shall see whether the petitioner is entitled to claim for regularization as per G.O.(Ms).No.325, dated 20.11.2012. The petitioner is directed to make a fresh representation to the 2nd and 3rd respondents along with a copy of the representation dated 20.12.2019 and a copy of this order. The petitioner shall mark a copy of the representation to the 1st respondent also.

5.This writ petition is disposed of with the above directions. No Costs.

Sd/-

Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

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

2.The Director,
Public Health and Preventive Medicine,
DMS Comple, Teynampet,
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3.The Deputy Director,
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GS (21/05/2020)



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