

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.7877 of 2021

G.Vijayakumari

... Petitioner

Vs.

1. The Director,
Health Department,
D.M.S., Teynampet,
Chennai 600 006.
2. The Commissioner,
Corporation of Greater Chennai,
Ripon Building,
Chennai 600 003.
3. The State T.B. Officer (STO),
State T.B. Office,
Egmore, Chennai 600 008.
4. The Programme Officer,
Revised National Tuberculosis
Control Programme,
Pulianthope T.B. Unit,
Pulianthope, Chennai 600 012.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents 1 and 2 to consider and pass an orders on the Petitioner's representation dated 27.06.2018 and Nil.07.2019 with regard to regularization from the date of initial appointment within a stipulated period.

For Petitioner : Mr.K.Subramanian

For Respondents : Mr.P.V.Selvakumar, for R1, 3 & 4
Additional Government Pleader
Mr.M.Ganesan, for R2

ORDER

Petitioner has come up with this Writ Petition seeking a direction to Respondents 1 and 2 to consider and pass orders on her representation dated 27.06.2018 and Nil.07.2019 with regard to regularization from the date of her initial appointment.

2. According to the Petitioner, she was selected and appointed for the post of Health Visitor in the 4th Respondent's Office on contractual basis for a period of one year on consolidated pay of Rs.6,000/- per month. It is the case of the Petitioner that, as she is continuously working for a long period, she is entitled for regularization of service and in that regard, she made a representation dated 27.06.2018 to the Respondents and a further one in July 2019, and the same are pending consideration.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, this Court directs the Respondents 1 and 2 herein to consider the Petitioner's representation dated 27.06.2018 in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders on the same, within a period of sixty days from the date of receipt of a copy of this order.

5. The Petitioner shall furnish her phone number, Email ID, if any, etc., along with a copy of her representation and a copy of this order to Respondents 1 and 2, forthwith. Respondents 1 and 2 are directed to communicate the decision taken on the representation, to the Petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that, they are not aware of the order of this Court.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AEB

To:

1. The Director,
Health Department,
D.M.S., Teynampet,
Chennai 600 006.
2. The Commissioner,
Corporation of Greater Chennai,
Ripon Building,
Chennai 600 003.
3. The State T.B. Officer (STO),
State T.B. Office,
Egmore, Chennai 600 008.
4. The Programme Officer,
Revised National Tuberculosis
Control Programme,
Pulianthope T.B. Unit,
Pulianthope, Chennai 600 012.

+2cc to Mr.K.Subramanian, Advocate, S.R.No.20563
+1cc to Mr.M.Ganesan, Advocate, S.R.No.20095
+1cc to the Government Pleader, S.R.No.20160

PCH(CO)
TE (30/04/2021)

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