



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No. 5220 of 2018

1. S. Subbulakshmi
2. K. Aysha Kyroon
3. V. Veeraramalaskshmi
4. B. Margaret
5. P. Maheswari
6. S. Shanthi
7. S. Rani
8. G. Shanthi
9. M. Sahayarani
10. K. Ponmalar
11. T. Devi

.. Petitioners

Vs.

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Public Health and Preventive Medicine,
DMS Complex,
Anna Salai, Chennai - 600 006.
- 3.The Director,
Medical and Rural Health Services,
DMS Complex,
Annasalai, Chennai - 600 006.
- 4.The Commissioner of Municipal Administration,
Commissionerate of Municipal Administration,
Ezhilagam Annex,
Chepauk, Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the first and second respondents to absorb the petitioners herein as Staff Nurses in the regular time scale pay in the light of the government order in G.O.(Ms) No.299 Health and Family Welfare Department dated 16.12.2016 more particularly within a time frame as may be stipulated by this Court.

For Petitioners
For Respondents

: Mr. J. Pooventhera Rajan
: Mr. K.S. Selvaganesan,
Counsel for State



ORDER

This writ petition has been filed by 11 petitioners, all of whom were employed as Auxiliary Nurse Midwives in the years 2011, 2012 and 2013 and have been in service thereafter. They have made several representations seeking absorption in the available vacancies in the post of Staff Nurse.

2. In support of the relief sought for by them, the petitioners rely upon G.O.Ms.No.299 dated 16.12.2016 issued by the Health and Family Welfare (EAP II-1) Department. The aforesaid Government order provides for the setting up of Urban Primary Health Centres and for staff therein, such as pharmacists, lab technicians and health nurses. Permission has been accorded to the Director, Public Health and Preventive Medicine to fill up the existing vacancies in the posts sanctioned in the 151 health centres in various urban local bodies as well as those proposed.

3. According to the petitioners, the aforesaid Government Order would enure to their benefit and they draw attention to representations filed by the petitioners seeking such benefit, that are yet pending. Thus, it would suffice that a direction be issued to R2, the Director, Public Health and Preventive Medicine to consider representations dated 27.11.2017 and 24.01.2018 filed by the petitioners, hear them and pass orders bearing in mind the spirit and ratio of G.O.(Ms) No.299 dated 16.12.2016, within a period of six weeks from date of uploading of a copy of this order upon the official website of this Court.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

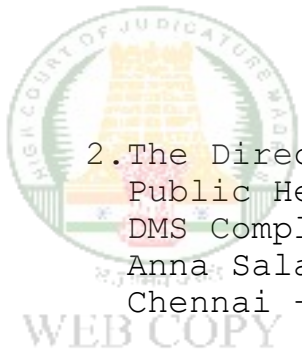
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned

To

1.The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Director,
Public Health and Preventive Medicine,
DMS Complex,
Anna Salai,
Chennai - 600 006.

3.The Director,
Medical and Rural Health Services,
DMS Complex,
Annasalai,
Chennai - 600 006.

4.The Commissioner of Municipal Administration,
Commissionerate of Municipal Administration,
Ezhilagam Annex,
Chepauk,
Chennai.

+1 CC to M/s.SPL.GP (SR-34071[F] dated 11/11/2021)

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VR (CO)

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