



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.5028 of 2017

and

W.M.P(MD)No.4048 of 2017

M.Sivarajan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Department of Health & Family Welfare,
Fort St. George,
Chennai - 600 009.

2.The State of Tamil Nadu,
Rep. By its Secretary,
Department of Social Welfare and
Nutritious Meal Programme,
Fort St. George, Chennai - 600 009.

3.The State Commissioner for the Differently
Abled Commissionerate for the Welfare
of the Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.

4.The Director of Medical &
Rural Health Service,
Kilpauk, Chennai - 600 010.

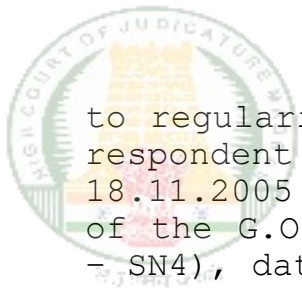
5.The Project Director,
State NCD (Non-Communicable Disease) Cell,
DMS Complex, Teynampet,
Chennai - 600 006.

6.The Joint Director of Medical &
Rural Health Service,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondents herein

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to regularize forthwith the service of the petitioner in the fourth respondent Directorate w.e.f., the date of his appointment viz., 18.11.2005 with all attendant benefits and allowances in the light of the G.O(Ms)No.151, (Social Welfare and Nutritious Meal Programme - SN4), dated 16.10.2008.

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For Petitioner : Mr.T.Cibi Chakraborty

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

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ORDER

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, to direct the respondents herein to regularize forthwith the service of the petitioner in the fourth respondent Directorate w.e.f., the date of his appointment viz., 18.11.2005 with all attendant benefits and allowances in the light of the G.O(Ms)No.151, (Social Welfare and Nutritious Meal Programme - SN4), dated 16.10.2008.

2. The case of the petitioner is that he was initially appointed as Assistant cum Accountant in Districts Project Management Unit, Kanyakumari on consolidated pay of Rs.4,000/- per month by the sixth respondent, vide proceedings dated 15.11.2005. Accordingly, he joined duty on 18.11.2005. He possessed the qualifications of M.Com., MBA and PGDCA. However, his services were not regularized in the light of G.O(Ms)No.151, (Social Welfare and Nutritious Meal Programme - SN4), dated 16.10.2008. Hence, the present writ petition has been filed by the petitioner.

3. Learned Counsel appearing for the petitioner would submit that it would suffice if a direction is issued to the respondents to consider the representation of the petitioner dated 12.11.2008, within a stipulated time as fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents has no serious objection for issuing such direction.

5. In the light of the limited scope of prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner dated 12.11.2008, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner and dispose of the same within a period of twelve weeks from the date of receipt of a copy of this order.



directions. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

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/ /2021

Sub Assistant Registrar(CS)

SSL

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 Secretary,
Department of Health & Family Welfare,
Fort St. George, Chennai - 600 009.
- 2.The Secretary,
Department of Social Welfare and Nutritious Meal Programme,
Fort St. George, Chennai - 600 009.
- 3.The State Commissioner for the Differently Abled Commissionerate
for the Welfare of the Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.
- 4.The Director of Medical & Rural Health Service,
Kilpauk, Chennai - 600 010.
- 5.The Project Director,
State NCD (Non-Communicable Disease) Cell,
DMS Complex, Teynampet, Chennai - 600 006.
- 6.The Joint Director of Medical & Rural Health Service,
Nagercoil, Kanyakumari District.

+1 CC to M/s.ISAAC CHAMBERS (SR-10270[F] dated 11/03/2021)

+1CC to THE SPECIAL GOVERNMENT PLEADER(SR-10588[F] dated 11/03/2021)

Order made in
W.P(MD)No.5028 of 2017
10.03.2021

TP(CO)

SRS (16/03/2021) 3P : 9C

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