



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P.No.6339, 6342, 6344, 6347 and 6348 of 2022

K.Sudha	... Petitioner in WP.6339 of 2022
A.Sugirtha	... Petitioner in WP.6342 of 2022
R.Vincilin Sujana	... Petitioner in WP.6344 of 2022
R.Revathy Muthupandi	... Petitioner in WP.6347 of 2022
P.C.Leela Bai	... Petitioner in WP.6348 of 2022

Vs.

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
Health & Family Welfare Department,
Fort St.George, Chennai - 600 009.
2. The Director of Medical & Rural
Health Services, DMS Campus,
Teynampet, Chennai - 600 006.
3. The Dean,
Rajiv Gandhi Government General Hospital,
Poonamalle High Road, Chennai - 600 009.
4. The Member Secretary,
Medical Services, Recruitment Board,
7th Floor, DMS Buildings,
No.359, Anna Salai,
Teynampet, Chennai - 600 006.

...Respondents in
all writ petitions

Prayer in WP.6339 of 2022: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, to direct the respondents to absorb the petitioner as Government Nurse on regular time scale of pay with effect from the date of her initial appointment as Nurse on 18.02.2016 with all consequential service and monetary benefits.

Prayer in WP.6342 of 2022: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, to direct the respondents to absorb the petitioner as



Government Nurse on regular time scale of pay with effect from the date of her initial appointment as Nurse on 09.03.2016 with all consequential service and monetary benefits.

Prayer in WP.6344 of 2022: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, to direct the respondents to absorb the petitioner as Government Nurse on regular time scale of pay with effect from the date of her initial appointment as Nurse on 07.03.2016 with all consequential service and monetary benefits.

Prayer in WP.6347 of 2022: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, to direct the respondents to absorb the petitioner as Government Nurse on regular time scale of pay with effect from the date of her initial appointment as Nurse on 23.02.2016 with all consequential service and monetary benefits.

Prayer in WP.6348 of 2022: Writ petition filed under Section 226 of the Constitution of India seeking to issue a writ of Mandamus, to direct the respondents to absorb the petitioner as Government Nurse on regular time scale of pay with effect from the date of her initial appointment as Nurse on 30.03.2016 with all consequential service and monetary benefits.

In all writ petitions

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mrs.S.Anitha

Special Government Pleader

COMMON ORDER

By consent of both parties, the Writ Petitions are taken up for final disposal at the admission stage itself.

2. The writ petition have been filed Seeking is issue a Writ of Mandamus, directing the respondents to absorb the petitioners as Government Nurse on regular time scale of pay with effect from the date of their initial appointment as Nurse with all consequential service and monetary benefits.

3. The facts and circumstances and the issues involved in all the writ petitions and one and the same and hence, this court passes the common order.

4. The petitioners were selected through the Medical Services Recruitment Board and they were appointed as Nurse vide



order dated 12.02.2016 on consolidated pay in the Tamil Nadu Medical Subordinate Service at various places. Now, they are transferred and working as Nurse in their respective transferred places. The petitioners have completed more than two years of service as Nurse on Consolidated Pay and they made several representations to the respondents requesting them to absorb them in regular time scale of pay as there are many vacancies in the post of Nurses on time scale of pay. But, the representations have not been considered by the respondents. Hence, this writ petition.

5. The learned counsel appearing for the petitioners submitted that this court in similar matter has passed order in W.P.No.4520 of 2022 dated 02.03.2022 and therefore, on the same line, the second respondent may be directed to consider the representation of the petitioners and to pass orders.

6. The learned Special Government Advocate appearing for the respondents submitted that, the representation of the petitioner will be considered by the authorities concerned and appropriate orders will be passed, in its own merits and in accordance with law, if she is otherwise eligible.

6. In view of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass the following order.

i) The second respondent is directed to consider the individual representation of the petitioners and pass individual orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, all the writ petitions are disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mst



To

1. The Principal Secretary,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
2. The Director of Medical & Rural Health Services,
DMS Campus, Teynampet, Chennai - 600 006.
3. The Dean, Rajiv Gandhi Government General Hospital,
Poonamalle High Road, Chennai - 600 009.
4. The Member Secretary,
Medical Services, Recruitment Board,
7th Floor, DMS Buildings, No. 359, Anna Salai,
Teynampet, Chennai - 600 006.

+1 CC to Mr. Prem Narayan, Advocate sr 19202

+1 CC to The Special Government Pleader sr 19525.

W.P.No. 6339, 6342, 6344,
6347 and 6348 of 2022

SKM(CO)
SP(07/04/2022)