

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. Nos. 14982 & 14987 of 2022

and

W.M.P.Nos. 14202, 14204, 14208 & 14209 of 2022

- | | |
|---------------|---|
| 1. Vasanthi | ... Petitioner in
W.P.No.14982 of 2022 |
| 2. S. Johnson | ... Petitioner in
W.P.No.14987 of 2022 |

Vs.

- | | |
|--|---|
| 1. The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai - 600 009. | |
| 2. The Director of Public Health and Preventive Medicine,
DMS Campus, Teynampet,
Chennai - 600 006. | ...Respondent 1 & 2 in
both WPs. |
| 3. The Block Medical Officer,
Government Primary Health Centre,
Nandhivaram 603 202,
Chengalpattu District. | ...3 rd Respondent in
W.P.No. 14982 of 2022 |

W.P.No.14982 of 2022

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the third respondent in R.No.237/GPHC/2022 dated 31.05.2022 and to quash the same and consequently directing the respondents to allow the petitioner to continue to work as Lab Technician Grade-III in Primary Health Centre, Maraimalai Nagar, Chengalpattu HUD, in the sanctioned post, coming under the control of second respondent, with all consequential and other

attendant benefits, within a time frame to be fixed by this Court.

W.P.No.14987 of 2022

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the second respondent in R.No.100612/E2/S1/2021-23 dated 24.05.2022 and to quash the same and consequently directing the respondents to allow the petitioner to continue to work as Lab Technician Grade-III in Primary Health Centre, Moovanur, Trichy, HUD, in the sanctioned post, coming under the control of second respondent, with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr. G. Sankaran in both Wps.
For Respondents : Mr. T. Arun Kumar,
Additional Government Pleader
For Respondents 1 to 3
in WP.14982/22 and
Respondents 1 & 2 in WP.14987/22

COMMON ORDER

The learned counsel for the petitioners fairly submitted before this Court that the writ petitioners having grievance for transferring them from the present station. They have also alleged in the affidavits that, being physically handicapped persons and having been appointed in the year 2012 vide G.O.Ms.No.130 dated 12.04.2012 and brought under the control of DPH, presently drawing salary in the sanctioned post through Treasury/Government account, suddenly transferred to UPHC, a temporary post coming under NRHM, affecting their condition of service including salary. Therefore, according to the petitioners the said transfer order is nothing but reverting them from the present post and other grievance of the petitioner is giving effect to the transfer order.

2. According to the petitioners, third party has joined in the present place. Therefore, they seek liberty to make a fresh representation to the respondents to consider their claim before the authority concerned.

3. In view of the above submissions made by the petitioners, this Court will not go into the merits of the case. It is open to the petitioners to raise all the grounds before

the respondents seeking their claim. Therefore, liberty is granted to the petitioners to make a representation to the second respondent. If any such representation is made, the second respondent shall consider and to take appropriate decision on merits and in accordance with law, as expeditiously as possible.

4. With the above directions, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

mrn

To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Director of Public Health and Preventive Medicine,
DMS Campus, Teynampet,
Chennai - 600 006.
3. The Block Medical Officer,
Government Primary Health Centre,
Nandhivaram 603 202,
Chengalpattu District.

+2cc to Mr.G.Sankaran, Advocate SR.No.35962
+1cc to the Government Pleader, SR.No.36600

W.P. Nos. 14982 & 14987 of 2022
and

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GPL(CO)
CB(13/07/2022)