



WEB COPY



W.P. No.33601 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33601 of 2022

1.A.Mallika

2.D.Kantha

3.A.Ramya

4.A.Ashok Kumar

5.A.Bakiya Lakshmi

... Petitioners

VS.

1.State of Tamil Nadu,
rep. by its Additional Chief Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2.The Director of Medical and Rural Health Services,
DMS Complex,
Chennai – 600 006.

3.The Joint Director of Health Services,
Vellore-632 001.

4.The Dean,
Government Medical College and Hospital,
Vellore – 632 011.

... Respondents



W.P. No.33601 of 2022

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent herein to regularise the services of the 1st petitioner's husband Late D.Arumugam and direct the respondents 2 and 3 herein to extend all pending service benefits including promotion of 1st petitioner's husband and pay the consequential benefits with 6% interest to the petitioners herein by considering the representation of the 1st petitioner dated 25.11.2022.

For petitioners : Mr.D.Soundar Raj

For respondents : Mr.Stalin Abimanyu,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to regularise the services of the first petitioner's husband Late D.Arumugam and to direct respondents 2 and 3 to extend all pending service benefits including the promotion of 1st petitioner's husband and pay the consequential benefits with 6% interest to the petitioners based on the first petitioner's representation dated 25.11.2022 within a time frame to be fixed by this Court.

2.According to the petitioners, Late D.Arumugam was working as an X-ray Attender and he died while in service on 20.09.2022. The grievance of the petitioners is that D.Arumugam ought to have been



W.P. No.33601 of 2022

regularised in service. Since he was not regularised till date, the service benefits payable to him have not been paid. The petitioners seek for the said relief in the first petitioner's representation dated 25.11.2022 along with interest at the rate of 6% per annum. Since the representation has not been considered till date, this writ petition has been filed.

3.Heard Mr.D.Soundar Raj, learned counsel for the petitioners and Mr.Stalin Abimanyu, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.The petitioners have filed documents along with this writ petition to substantiate their claim as per the first petitioner's representation dated 25.11.2022 referred to supra. It is for the respondents to consider the same, on merits and decide as to whether the petitioners are entitled for the relief sought for in the said representation or not.

5.No prejudice will be caused to the respondents if the first petitioner's representation dated 25.11.2022 referred to supra is



W.P. No.33601 of 2022

considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

6.For the foregoing reasons, this Court directs the fourth respondent to pass final orders, on merits and in accordance with law on the first petitioner's representation dated 25.11.2022 requesting for regularisation of the services of the first petitioner's husband Late D.Arumugam and also seeking for a direction to the respondents to extend all pending service benefits including promotion of the first petitioner's husband and pay the consequential benefits with 6% interest, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, the writ petition stands disposed of.

No costs.

14.12.2022

Index: Yes/No
vga



W.P. No.33601 of 2022

WEB COPY

To

- 1.State of Tamil Nadu,
rep. by its Additional Chief Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.
- 2.The Director of Medical and Rural Health Services,
DMS Complex,
Chennai – 600 006.
- 3.The Joint Director of Health Services,
Vellore-632 001.
- 4.The Dean,
Government Medical College and Hospital,
Vellore – 632 011.



WEB COPY



W.P. No.33601 of 2022

ABDUL QUDDHOSE, J.

vga

W.P.No.33601 of 2022

14.12.2022