



W.P.(MD)No.28909 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28909 of 2022

V.Sundaram

... Petitioner

Vs.

1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Fort. St. George,
Chennai - 09.

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

3. The Deputy Director of Health Services,
Sivakasi,
Virudhunagar District.

4. The Deputy Director of Health Services ,
Virudhunagar,
Virudhunagar District.

5. The Block Medical Officer,
Government Primary Health Centre,
Uppathur, Virudhunagar District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass orders by regularizing the petitioner's service based on the proposal sent by the second respondent vide proceedings in Na.Ka.No. 29382/Va.Pa/A3/2020, dated 08.10.2022 with all monetary and attendant benefits within a stipulated time.

For Petitioner : Mr.V.MuthuKamatchi.
For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

This writ petition has been filed for a direction to the first respondent to pass orders by regularizing the petitioner's service based on the proposal sent by the second respondent vide proceedings in Na.Ka.No.29382/Va.Pa/A3/2020, dated 08.10.2022 with all monetary and attendant benefits within a stipulated time.

2. The case of the petitioner is that he was appointed as a Driver by the third respondent vide order, dated 28.04.2008, through employment exchange, on consolidated pay. Subsequently, the fourth respondent has recommended the name of the petitioner for regularization to the second



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respondent on 27.11.2017. Based on such recommendation, the first respondent has sent a proposal to the Government in the year 2017 with a request to absorb the Drivers, who were employed through Employment Exchange. Subsequently, the second respondent has sent a proposal on 08.10.2022, to the first respondent with a recommendation to regularize the service of the petitioner. However, till date, the petitioner has not passed any order. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to consider the proposal sent by the second respondent, dated 08.10.2022, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing for the respondents has no serious objection for such an order being passed by this Court.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the proposal sent by the second respondent, dated 08.10.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

No costs.

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Index: Yes/No



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M.DHANDAPANI,J.

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