



W.P. No. 7233 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7233 of 2023

A.Ambethkar

... Petitioner

-VS-

1. The Principal Secretary to Government,
Health & Family Welfare Department,
Chennai.

2. The Director,
Public Health & Preventive Medicine,
Chennai.

3. The Deputy Director,
O/o. Deputy Director (Health),
Netty Velaikarar Street,
Thiruvavarur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to give first priority to the Petitioner who served as driver in Janani Sisu Suraksha Kariyakram (JSSK) for appointment of Labour MMU Driver under the Scheme of National Health Mission in notification dated 25.01.2023, based on the representation dated 18.02.2023.

For Petitioner : Mr. R.Suryaprakash

For Respondents : Mrs. R.Anitha
Special Government Pleader



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ORDER

Heard Mr. R.Suryaprakash, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 18.02.2023 to the Third Respondent to give first priority to him, who served as Driver in Janani Sisu Suraksha Kariyakram (JSSK), for appointment as Labour MMU Driver under the Scheme of National Health Mission in Notification dated 25.01.2023, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 18.02.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;



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(ii) if it is found that any other details or supporting documents is necessary,

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the deficiencies in that regard shall be informed in writing to the

Petitioner requiring the same to be furnished within a time frame of not

less than 15 days for the same;

(iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and

(v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In fine, the Writ Petition is disposed on the aforesaid terms. No costs.

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Maya

Index: Yes/No

Note: Issue order copy by 02.06.2023.



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To

1. The Principal Secretary to Government,
Health & Family Welfare Department,
Chennai.
2. The Director,
Public Health & Preventive Medicine,
Chennai.
3. The Deputy Director,
O/o. Deputy Director (Health),
Netty Velaikarar Street,
Thiruvavur.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

Maya

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