



WEB COPY



W.P.No.7962 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.7962 of 2022

Kavitha T

... Petitioner

Vs.

1.The Principal Secretary,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Fort St George, Chennai -600 001.

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

3.The Member Secretary,
Medical Services Recruitment Board (MRB),
7th Floor, DMS Buildings,
359, Anna Salai, Teynampet,
Chennai-600 008.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ order or direction in the nature of a Writ of Mandamus, directing the 1st and 2nd respondent herein to regularize the appointment of the petitioner with effect from 19.09.2015 being the date of initial appointment with all pay & service benefits pursuant to the representation of the petitioner dated 27.02.2021 the same.

For Petitioner : Mr.Puhazh Gandhi.P

For Respondents : Mr.V.Jeevagiridharan,
Additional Government Pleader-R1 & R2
Mr.L.Murugavelu-R3



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ORDER

This Writ Petition has been filed to direct the respondents 1 and 2

to regularize the appointment of the petitioner with effect from 19.09.2015 being the date of initial appointment with all pay & service benefits pursuant to the representation, dated 27.02.2021.

2.The contention of the petitioner is that she has been appointed as Nurse on 19.09.2015 on consolidated pay of Rs.7,700/- p.m., with an annual increase of Rs.500/- per year till she is absorbed into regular vacancies as per the seniority in selection and she joined duty on 28.09.2015. The petitioner was received an order of regularization on 01.09.2020 and directed to join duty at Government RSRM Lying in Hospital, Royapuram, Chennai. However, the authorities provided the regular pay and benefits from the date of the order and not from the date of the initial appointment i.e., 19.09.2015. In this regard, the petitioner has given representation to the respondents on 27.02.2021 to regularize the service from the date of initial appointment, however, no action has been taken. Hence, seeks direction of this Court.



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3.Considering the limited scope of relief sought for in this Writ Petition, the respondents are directed to consider the representation of the petitioner, dated 21.02.2021 and pass orders on merits and in accordance with law, within a period of two months, from the date of receipt of a copy of this order.

4.With the above directions, this Writ Petition stands disposed of.

No costs.

27.09.2023
(2/5)

Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

1.The Principal Secretary,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Fort St George, Chennai -600 001.

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

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3. The Member Secretary,
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