



W.P.(MD).No.3910 of 2016

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.3910 of 2016

A.Govindan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare (N1) Department,
Fort St.George,
Chennai – 600 009.

2.The Director of Public Health,
and Preventive Medicine,
O/o. The Director of Public Health
and Preventive Medicine,
Chennai – 600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified mandamus, to call for the records pertaining to the impugned order in R.No.81454/MP2/S1/2015, dated 13.01.2016 on the file of the second respondent and quash the same as illegal and consequently to promote the petitioner as Block Health Supervisor retrospectively from the date on which the juniors were promoted in the light of



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the order dated 19.04.2013 in W.P.Nos.4021, 4059 & 5585 of 2013 within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.R.Suresh Kumar,
Additional Government Pleader.

ORDER

This Writ Petition is filed to quash the impugned order dated 13.01.2016 with a consequential relief to promote the petitioner as Block Health Supervisor in the light of the order dated 19.04.2013 in W.P.Nos.4021, 4059 & 5585 of 2013.

2. The petitioner was appointed as a Basic Health Worker on 09.12.1969. Thereafter, his service was regularized with effect from 10.12.1969 and probation was declared after completion of 2 years of service.

3. The Learned Counsel for the petitioner submitted that the petitioner has already filed another Writ Petition in W.P.(MD).No.18617 of 2015 seeking direction to promote the petitioner to the post of Health Inspector with effect



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from the date on which his juniors were promoted in the light of the orders passed in W.P.No.29794 of 2005 etc. batch dated 13.07.2007, in which the order was upheld by the Hon'ble Supreme Court in Civil Appeal No. 6660 of 2011 and batch dated 25.02.2015. In the said writ petition, this Court has directed the respondents to consider the representation in the light of the orders passed by the Hon'ble Supreme Court in Civil Appeal No. 6660 of 2011. Based on the direction, the respondents have passed an order dated 14.02.2020 and respondents have regularized the petitioner's service in the cadre of the Multi-Purpose Health Supervisor on par with his junior Mr. P. Balakrishnan.

4. Since the above fact is the subsequent development, the impugned order ought to be reconsidered. Hence, the impugned order is quashed and this Court without expressing any opinion on merits, directing the respondents to reconsider the case of the petitioner and pass orders in the light of the order dated 14.02.2020 stated supra. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



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WEB COPY 5. With the above direction, this Writ Petition is allowed. There shall be no order as to costs.

22.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The Principal Secretary,
The State of Tamil Nadu,
Health and Family Welfare (N1) Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Public Health,
and Preventive Medicine,
O/o. The Director of Public Health
and Preventive Medicine,
Chennai – 600 006.



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S.SRIMATHY, J.

Nsr

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