



W.P.No.454 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.No.454 of 2015 and

M.P.Nos.1 to 3 of 2015

M.Senthil Kumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Secretary to Government,
Health and Family Welfare (EAP II-2) Department,
Secretariat, Fort St. George, Chennai 600 009.
2. The Director of Public Health and Preventive Medicine,
No.359, Anna Salai, DMS Complex,
Chennai 600 006.
3. The Deputy Director of Public Health and Preventive Mdicine,
Collectorate Office Buildings,
Namakkal.
4. The Block Medical Officer,
Government Primary Health Centre,
Namagiripet, Namakkal.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of certiorarified mandamus, to call for the records culminating in Mu.Mu.No.246/A5/2014, dated 06.02.2014, issued by the third respondent and quash the same and consequently, direct the respondents to permanently absorb the petitioner and regularize his service in regular time scale of pay with all attendant service and monetary benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.T. Dharani

For Respondents : Mr. R.Neelakandan, Addl.Adv. General
assisted by Mr.M.Bindran, Addl.Govt.Pleader

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

This writ petition is de-linked from W.A.No.356 of 2022.

2. This writ petition has been filed to quash the order dated 06.02.2014, passed by the third respondent, rejecting the claim of the petitioner to absorb him as driver in regular time scale of pay with all attendant service and monetary benefits, within a time frame to be fixed by this Court.



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3. Subsequent to the filing of the writ petition, the petitioner had approached the authorities concerned to appoint him as driver in regular time scale of pay and the same was also negatived, vide order dated 22.07.2020. As against the above order dated 22.07.2020, the petitioner had filed W.P.No.12643/2020 and sought to appoint him as driver. The above writ petition was allowed by the learned Single Judge, vide order dated 05.10.2021, directing the authorities concerned to regularise the service of the petitioner on par with other permanent employees. Challenging the above order in W.P.No.12643/2020, the Department had filed an appeal in W.A.No.356/2022 and the same is pending before the Division Bench of this Court.

4. From the above, it is clear that the claim of the petitioner to regularise his service was already considered and order has been passed by this court in W.P.No.12643/2010, dated 05.10.2021. In view of the subsequent events took place as stated supra, the prayer as sought for by the petitioner has become infructuous and hence, nothing survives for further adjudication.

5. Accordingly, this writ petition is dismissed as infructuous. No



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costs. Consequently, connected miscellaneous petitions are closed.

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(D.K.K.J.) (K.B.J.)

03.06.2024

Internet: Yes/No

Index : Yes/No

mst

To

1. The Secretary to Government, State of Tamil Nadu,
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