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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.23717 of 2024

D.Shanmugam

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by its Secretary,
Department of Health and Family Welfare,
Secretariat, Chennai 9.

2.The District Collector

Tirupur, Tirupur District

3.The Director

Public Health and Preventive Medicine,
Teynampet, Chennai 6.

4.The Deputy Director

Health Services Office,
Ka.Sa.No. 147 Pooluvapatti Section,
Nerupperichal Salai 641602, Tirupur District.



5.The Medical Officer

Primary Health Centre,

Kullampalayam,

Kundalam, Tirupur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to bring the petitioner's service under time scale of pay with effect from his appointment dated 27.02.2013 as per G.O.Ms.No.325 dated 20.11.2012, on the file of the respondents by regularizing the petitioner's services by considering his representation dated 27.06.2024 within a time stipulated by this Court.

For Petitioner : Mr.P.Bhaskar

For Respondents : Mr.M.Bindran
Additional Government Pleader
for R1, R3, R4 and R5

Mr.V.P.R.Elamparithi
Additional Government Pleader
for R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation made by the petitioner on



27.06.2024, wherein, the petitioner is seeking for brining his services under time scale of pay with effect from the date of his appointment on 27.02.2013 in accordance with G.O.Ms.No.325 dated 20.11.2012.

2.Heard Mr.P.Bhaskar, learned counsel appearing on behalf of the petitioner, Mr.M.Bindran, learned Additional Government Pleader appearing on behalf of respondents 1, 3, 4 and 5 and Mr.V.P.R.Elamparithi, learned Additional Government Pleader appearing on behalf of the 2nd respondent.

3.The case of the petitioner is that he was appointed under G.O.Ms.No.325 dated 27.02.2013 in a multi-purpose hospital and he has already completed ten years of service. The petitioner therefore made a representation on 27.06.2024 seeking for bringing his services under time scale of pay with effect from the date of his appointment. To make such a claim, the petitioner is relying upon the above said Government Order. Since the representation was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.



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4. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st and 4th respondents to deal with the representation made by the petitioner on 27.06.2024 on its own merits and in accordance with law and take a decision, within a period of eight weeks from the date of receipt of copy of this order and convey the same to the petitioner.

5. The petitioner is directed to make a fresh representation to the 1st and 4th respondents along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above directions. No Costs.

19.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr



To
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N. ANAND VENKATESH, J.

ssr

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