



W.P.(MD)No.1528 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

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MRB Nurses Empowerment Association,
Reg. Serial No.31/2018,
Represented by its General Secretary,
8/1, Sethu Bakery, East Park Street,
Kovilpatti – 628 502.
Thoothukudi District.

: Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Health and Family Welfare (C1) Department,
Fort St. George,
Chennai – 600 009.

2.The Director of Medical and Rural Health Services,
DMS Campus,
Teynampet,
Chennai – 600 018.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents



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herein to regularise the services of the members of the petitioner association from the date of their initial appointment and bring on time scale of pay from the date of their initial appointment with all consequential service and monetary benefits.

For Petitioner : Ms.M.Padmavathy
for Mr.K.Vamanan
For Respondents : Mr.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to regularise the services of the members of the petitioner association and bring on time scale of pay from the date of their initial appointment, with all consequential service and monetary benefits.

2.The petitioner claims that the members of the petitioner association were appointed as Nurses in the second respondent with effect from the appointment date. However, according to them, till date their services have not been regularised even though many others have already been regularised. The petitioner also contends that those who have not been regularised were also appointed on the same date along with the members of the petitioner association.



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3. Learned Counsel for the petitioner would submit that eventhough a positive direction is sought for in this Writ Petition, it would suffice for the present if a direction is issued by this Court to the respondents to consider the representation of the petitioner association seeking for regularisation of the members of the petitioner association with effect from the date of their appointment.

4. No prejudice would be caused to the respondents if such a direction is issued by this Court.

5. For the foregoing reasons, this Court directs the petitioner association to submit a fresh representation to the second respondent seeking for regularisation of services of the members of the petitioner association in the second respondent with effect from the date of their appointment and also seeking for other consequential service and monetary benefits within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law within a period of twelve [12] weeks thereafter.



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6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To

- 1.The Secretary to Government,
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Health and Family Welfare (C1) Department,
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- 2.The Director of Medical and Rural Health Services,
DMS Campus,
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ABDUL QUDDHOSE, J.

MR

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