



W.P.(MD)No.19509 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19509 of 2024

S.Murugan

... Petitioner

Vs

- 1.The Principal Secretary to Government,
Health and Family Welfare(EAP-II(2)) Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
- 2.The Director of Public Health &
Welfare Department,
Office of the Director of Public Health &
Welfare Department,
Teynampet, Chennai.
- 3.The Commissioner,
Chinnamanur Municipality,
Chinnamanur, Theni District.
- 4.The Commissioner,
Cumbum Municipality,
Cumbum, Theni District.
- 5.The Commissioner,
Periyakulam Municipality,
Periyakulam, Theni District.
- 6.The Commissioner,
Bodinaickanur Municipality,
Bodinayakanur, Theni District.



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7.The Commissioner,
Theni Municipality,
Theni, Theni District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 30.10.2020 for their regularization as per G.O.(Ms) No.103 Health and Family Welfare (EAP-II(2)) Department dated 15.04.2010 with disbursement of arrears of consolidated pay from 2013, conveyance allowance for the physically challenged.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1 & R2
Mr.N.Dilipkumar for R5
Mr.G.Kaleeswaran
Standing Counsel for R7

* * * * *

ORDER

The instant writ petition has been filed by the Hospital workers in the Theni District under NRHM scheme seeking a mandamus as against the respondents to consider their representation for regularisation of their services.

2.According to the learned Counsel appearing for the writ petitioner, some of the petitioners are physically challenged persons, others are ex-service men and some of them are falling under priority category of widow. All of them were appointed under consolidated pay.



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3. Even though they have completed more than two years of service, their services have not been regularised.

4. The learned Counsel appearing for the petitioner has brought to the notice of the Court that Government orders have been issued in G.O.Ms.No. 151, dated 16.10.2008 and G.O.Ms.No.391, dated 07.10.2010 granting regularisation of services to the physically challenged persons from 01.10.2010 onwards. However the said benefit has not been conferred upon the writ petitioner.

5. Seeking the above said benefits, the petitioners have sent a joint representation to the second respondent herein on 30.10.2020 and sent a reminder on 23.11.2023. However, the said representation has not been considered. Hence the present writ petition has been filed.

6. Considering the above said facts, the second respondent is directed to consider the representation of the writ petitioner dated 23.11.2023 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the above said observations, this writ petition is disposed of. No costs.

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NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The Principal Secretary to Government,
Health and Family Welfare(EAP-II(2)) Department,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.

2. The Director of Public Health &
Welfare Department,
Office of the Director of Public Health &
Welfare Department,
Teynampet, Chennai.



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R.VIJAYAKUMAR, J.

RJR

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