



W.P.No.26216 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.26216 of 2015

- 1 I. Sekar
S/o Irusappan No.104 Kuttiappa Gramani Street,
Pumping Station Line, Sanyasipuram
Kilpauk, Chennai-10
- 2 V. Shanmugham
C/o Munuswamy, No.49 Barakka Road
Nammalwarpet Chennai-12
- 3 A. Senthilkumar
S/o Arumugham, No.510, Block-16,
Nagooran Garden, New Wahermenpet Chennai-81
- 4 V. Ekambaram
S/o Venkatesah, 730 2nd Block, Mylai Balaji
Nagar, Pallikaranai, Chennai-10
- 5 V. Palani
S/o Velayudham, 2, Gandhi Nagar,
Dr.Ambedkar Bridge, Mylapore, Chennai-4
- 6 K. Srinivasan
P. Krishnan, 4/21, Raj Nagar Main Road
Mettukuppam, Okkiyam Thoraipakkam, Chennai-97.
- 7 M. Kalaivanan
S/o Manivel, 15/8 Jagannathapuram 5th Street
Chetpet Chennai-31.



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- 8 Jaya Prakash
S/o P. Sekaran, 34 Shiva Shankaran Street
Erukkanchery, Chennai-118.
- 9 S. Bhaskar
S/o Selvaraj, 22/1 Sivarajapuram, Triplicane
Chennai-5
- 10 M. Gopalakrishnan
S/o Muniyandi,
18/25, 1st Street Tyagi
Sathiyamoorthy Nagar
Tiruvottiyur, Chennai-19.
- 11 M. Chandraprakash
1460, 4D Block
VOC Nagar, Tondiarpet
Chennai-81.
- 12 T. Shankar
S/o Then, 9, N.N. Garden, 9th Lane,
Old Washermenpet, Chennai-81.
- 13 S. Natarajan
S/o Siva, 8 Sanjeevirayan Koil Lane,
Old Washermenpet, Chennai 21
- 14 A. Elavani
4 Samayavarthamman Koil Street, Seven Wells
Chennai-1
- 15 D. Venkatesan
S/o Dhakshnamurthy, 48/63 Annai Sathya Street
Chennai-78.
- 16 K. Mala



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W/o R. Kalaiarasan, 47-B Block Ranganathapuram
Korukkupet, Chennai-21.

17 L. Lakshmi
W/o Lawrance, 55 V.O.C Nagar, 30th Street
Pulianthope, Chennai-12.

18 M. Sargunadevi
W/o Mahalingam, 7 Bharathi Nagar, 1st Street
Korukkupet Chennai-21.

19 L. Gladys Silvia
W/o M. Kamaraj, 25 Government Farm
1st Street, Saidapet Chennai-15.

... Petitioners

Vs.

1 Government of Tamil Nadu
Rep. by its Secretary, Health and Family
Welfare Department, Secretariat, Chennai-9.

2 The Managing Director
Tamil Nadu Medical Services Corporation Ltd.
417 Pantheon Road, II Floor Egmore
Chennai-8

3 The Director of Medical
Education, Chennai-10

4 The Dean
Rajiv Gandhi Govt. General Hospital
Park Town Chennai.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned letter dated 10.11.2014 made in Letter No.41598/C1/2009 passed by the 1st respondent, quash the same and consequently direct the respondents to regularize the petitioners as Hospital Workers with regular time scale of pay.

For Petitioner : No appearance

For Respondents : Mr.K.Tippusulthan (for 1 to 4)
Government Advocate

ORDER

This Writ Petition has been filed to call for the records relating to the impugned letter dated 10.11.2014 made in Letter No.41598/C1/2009 passed by the 1st respondent, quash the same and consequently direct the respondents to regularize the petitioners as Hospital Workers with regular time scale of pay.

2.When the matter is taken up for hearing, no one represented on behalf of the petitioner.

3.Learned Government Advocate appearing for the Respondents would submit that the Petitioner Nos.4, 5, 6, 8, 9, 14, 17 & 19 have already left the job



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and they cannot be regularised. The learned Government Advocate would also submit that the second respondent Management has called for the list of candidates from the District Employment Exchanges and from the sponsored candidates 24 personnels were recruited among them as hospital workers on contract basis in consolidated pay at the rate of Rs.2,000/- per month. Subsequently, by virtue of G.O.Ms.No.284, H & F W (E1) Dept., dated 10.11.2011, their consolidated pay was revised from Rs.2,000/- to Rs.3,800/- per month. Thereafter by virtue of G.O.Ms.No.325, H & FW Dept. dated 20.11.2012, the services of the hospital workers in all the Medical College Hospitals and other hospitals having more than 200 beds were outsourced.

4.The learned Government Advocate would further submit that if the proposal for absorption of 24 hospital workers in regular vacancies is accepted, it will create a situation to come up with similar proposals from the personnels, who were appointed on consolidated pay by the TNMSC to bring them into regular time scale of pay.

5.After hearing the learned Government Advocate, I find that the petitioners were appointed as hospital workers on contract basis in the



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consolidated pay at the rate of Rs.2,000/- per month and subsequently, the consolidated pay was revised to Rs.3,800/- per month, as per G.O.Ms.No.325, H & FW Dept. dated 20.11.2012, which is a policy decision of the Government. Since it is a policy decision of the Government, this Court cannot interfere with it, moreover, the persons who were appointed on contract basis in the consolidated pay cannot ask for regularisation as a matter of right and therefore, there is no merit in this case.

6. Accordingly, this Writ Petition is dismissed. No costs.

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Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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RMT.TEEKAA RAMAN.J,
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