

W.P.(MD)No.3133 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.3133 of 2025

Leema Roseline

... Petitioner

Vs.

1.The State of Tamil Nadu Rep by its
Principal Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai- 600 009.

2.The Director of Medical and Rural Health Services,
DMS Campus,
Teynampet,
Chennai 600 006.

3.The Dean,
Government Medical College Hospital,
Thanjavur 613001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner, dated 10.09.2024 for retrospectively regularizing the service of the petitioner in the post of Nurse with effect from her initial date of appointment on 18.09.2015 with all consequential service and monetary benefits, in accordance with law and merits and within a stipulated period of time.



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For Petitioner : M/s.M.Padmavathy

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

Heard M/s.M.Padmavathy, learned counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader for the respondents.

2. The case of the petitioner is that she is working as nurse on regular time scale of pay in the Government Medical College Hospital at Thanjavur. The Medical Services Recruitment Board issued Notification No.01/2015, dated 1.04.2015, inviting applications for recruitment of 7243 posts of nurses on contract and consolidated pay basis in the Tamil Nadu Medical Subordinate Service. Out of 7243 posts, 6792 posts were reserved for women. The requisite educational qualification was degree or diploma in nursing. The Rules of reservation has to be followed and the selection process consisting of objective type single paper written examination. The maximum mark is 100 and the minimum qualifying marks required for SC/SCA/ST candidates is 30% and for other category candidates is 35%. In the notification itself, it is stated that



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selected candidates will be absorbed into regular time scale of pay after completion of minimum of two years, subject to availability of regular vacancy and strictly based on seniority and eligibility. The petitioner participated in the said recruitment process and she secured 64.50 marks in the written examination and selected for appointment to the post of nurse on contract and consolidated pay. The petitioner was appointed as nurse and posted at Government Hospital, Pattukottai, Thanjavur District, vide proceedings, dated 18.09.2015. The Director of Medical and Rural Health Services, Chennai, vide proceedings, dated 05.03.2019, absorbed the petitioner in regular time scale of pay by regularizing her service in the post of nurse and she was posted at Government Thanjavur Medical College Hospital, Thanjavur. The petitioner submitted several representations to the respondents requesting them to regularize her service in the post of nurse with effect from her initial date of appointment, but it was not considered. One of the representation of the petitioner is dated 10.09.2024. Aggrieved by the inaction of the respondents in considering the petitioner's representation, the petitioner was constrained to file this writ petition.

3. The learned Additional Government Pleader appearing on behalf of the respondents would submit that the representation of the petitioner, dated



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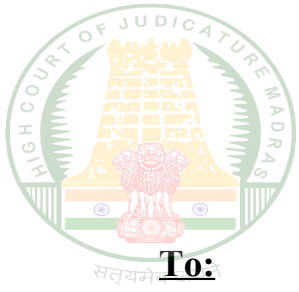
10.09.2024 will be considered in accordance with law within a time to be stipulated by this Court.

4. Having heard the submissions of the respective learned counsels, it appears that the only relief sought in this writ petition is to consider the representation of the petitioner, dated 10.09.2024 in accordance with law. In our considered view, it is appropriate and reasonable to consider the representation of the petitioner by directing the second respondent to consider and dispose of the petitioner's representation within a stipulated time to meet the ends of justice.

5. Accordingly, this writ petition is disposed of with a direction to the second respondent to consider and pass orders on the representation of the petitioner, dated 10.09.2024 within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

04.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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To:

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- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
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Chennai- 600 009.
- 2.The Director of Medical and Rural Health Services,
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- 3.The Dean,
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BATTU DEVANAND, J.

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