



W.P.(MD)No.28435 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.28435 of 2024

and

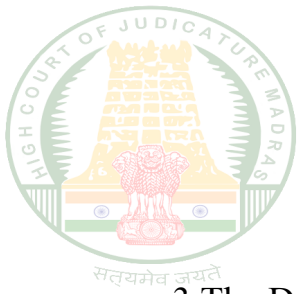
W.M.P.(MD)No.24138 of 2024

- 1.S.Santhosh
- 2.A.Akbar Badusha
- 3.M.Ramachandran
- 4.M.Jayapriya
- 5.T.Sathiya
- 6.A.Mano Salini
- 7.A.Dachinamoorthy
- 8.A.Nirmala
- 9.R.Saranya
- 10.P.Bala
- 11.S.Uma

... Petitioners

-VS-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Health and Family Welfare Department,
Secretariat,
St.George Fort,
Chennai.
- 2.The Director of Medical and Rural Health Services,
O/o. Director of Medical and Rural Health Services,
Chennai - 600 006.



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3. The Director of Public Health and Preventive Measures,
O/o. The Director of Public Health and Preventive Measures,
Chennai - 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to regularize/absorb the petitioners either in the post of Lab Technician Grade-II or in the Lab Technician Grade-III, by considering the respective representations of the petitioners.

For Petitioners : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to regularize or absorb the petitioners in the post of Lab Technician Grade-II or Lab Technician Grade-III, by considering their respective representations.

2. According to the petitioners, they were appointed as 'Laboratory Technicians' pursuant to a notification issued in 2014 by the District Health Society, following a proper selection process involving a written examination. Since their appointment under the Revised National Tuberculosis Control



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Program, they have been serving continuously and diligently, even during the COVID-19 pandemic, undertaking high-risk tasks such as, swab collection and RT-PCR testing. Despite their long-standing service and repeated representations, including the one dated 10.10.2024, their claim for regularization has not been considered. They are similarly situated as that of other healthcare workers such as, Pharmacists under the RBSK Scheme, who have been regularized by the Government and have not been accorded the same treatment or incentives. In view of their continuous service under hazardous conditions and the precedent set by the regularization of similarly placed candidates, the petitioners seek a direction to the respondents to consider their claim for regularization/absorption in the post of Lab Technician Grade-II or Grade-III, in a fair and timely manner.

3. Heard both sides.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the



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representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents to consider the respective representations of the petitioners, on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents concerned to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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14.07.2025
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To:-

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Secretariat,
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- 2.The Director of Medical and Rural Health Services,
O/o. Director of Medical and Rural Health Services,
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VIVEK KUMAR SINGH, J.

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