



WP(MD). No.8118 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25/03/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.8118 of 2023
and WMP(MD)Nos.7490 to 7492 of 2023

I.Fathima

... Petitioner

Vs

1. The Director of Medical and
Rural Health Services,
Office of the Director of
Medical and Rural Health Services,
Chennai- 600 006..

2. The Joint Director of Health Services,
Tenkasi, Tenkasi District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned notification in Vey. Aanai.En. 54/2023 Sea.Ma.Tho.A/Tenkasi dated 30.03.2023 of the 2nd respondent herein and quash the same and consequently direct the respondents herein to regularize the service of the petitioner as cook or washer men or Multi purpose worker.



WP(MD), No.8118 of 2023

For Petitioner : Mr.T.Pon Ramkumar
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus to quash the impugned notification No.Vey.Aanai.En. 54/2023 Sea.Ma.Tho.A/Tenkasi dated 30.03.2023 of the second respondent herein and for consequential direction to the respondents herein to regularize the service of the petitioner as Cook or Washermen or Multi Purpose Worker.

2. Insofar as challenge to the Notification dated 30.03.2023 is concerned, the same has become infructuous as the recruitment pursuant to the Notification was already concluded and several candidates have been appointed. Further, the petitioner also participated in the recruitment process in response to the very same notification and therefore in the light of settled legal position, the petitioner cannot challenge the notification. Hence, the relief sought insofar as challenge to the notification is concerned cannot be granted.



WP(MD), No.8118 of 2023

3. Insofar as the second limb of the relief seeking regularisation of service as Cook or Washermen or Multi Purpose Worker is concerned, it is a matter for the respondents to consider taking into consideration the long service put in by the petitioner. Admittedly, the petitioner was engaged as Multi Purpose Worker on being sponsored by the Employment Exchange through proceeding in Na.Ka.No.8569/Na.3/2012 dated 09.04.2013 and she has been continuing as such till date without any interruption.

4. The Hon'ble Apex Court recently in the case of **Jaggo vs. Union of India and others** in **2024 SCC Online SC 3826** has been pleased to consider the continuation of employees on temporary basis for long years and held as under:

27. In light of these considerations, in our opinion, it is imperative for government departments to lead by example in providing fair and stable employment. Engaging workers on a temporary basis for extended periods, especially when their roles are integral to the organization's functioning, not only contravenes international labour standards but also exposes the



WP(MD), No.8118 of 2023

organization to legal challenges and undermines employee morale. By ensuring fair employment practices, government institutions can reduce the burden of unnecessary litigation, promote job security, and uphold the principles of justice and fairness that they are meant to embody. This approach aligns with international standards and sets a positive precedent for the private sector to follow, thereby contributing to the overall betterment of labour practices in the country.

5. In the light of the above, it is obligatory on the part of respondents to consider the case of the petitioner for regularization in the light of the law laid down by the Hon'ble Apex Court.

6. Accordingly, this writ petition is disposed of granting liberty to the petitioner to make a representation before the respondents seeking for regularization of services within a period of four weeks from the date of receipt of a copy of this order. In case the petitioner submits a representation, the same shall be considered by the respondents duly taking into consideration the law laid down by the Hon'ble Apex Court in



WP(MD), No.8118 of 2023

the abovesaid judgment and pass appropriate orders as expeditiously as possible at any rate within a period of eight weeks from the date of submission of a representation by the petitioner in accordance with law.
No costs. Consequently, connected miscellaneous petitions are closed.

25.03.2026

Index : Yes/No
Internet : Yes/No
CM



WP(MD), No.8118 of 2023

WEB COPY

TO

1. The Director of Medical and Rural Health Services,
Office of the Director of Medical and Rural Health Services,
Chennai- 600 006..
2. The Joint Director of Health Services,
Tenkasi, Tenkasi District.



WEB COPY



WP(MD). No.8118 of 2023

MUMMINENI SUDHEER KUMAR, J

CM

WP(MD). No.8118 of 2023
and WMP(MD)Nos.7490 to 7492 of 2023

Date : 25/03/2026