

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 10257 of 2015 (F)

PETITIONER :

**ASWANI HARI PRASAD, AGED 21,
D/O. SUDEVAN, ASWATHI HOUSE
MOLLANKAVU P.O., SULTHAN BETHERI,
WAYANADU DISTRICT.**

BY ADV. SRI.T.RAJASEKHARAN NAIR

RESPONDENT(S) :

- 1. THE DIRECTOR,
DEPARTMENTAL HEALTH SERVICE, HEALTH DIRECTORATE
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT MEDICAL OFFICER (HEALTH)
OFFICE OF THE DISTRICT MEDICAL OFFICER, MANATHAVADI
WAYANADU DISTRICT - 673 121.**
- 3. THE PRINCIPAL
GOVERNMENT SCHOOL OF NURSING, PANAMARAM
WAYANADU DISTRICT - 673 121.**

R1 TO R3 BY SR. GOVT. PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 10257 of 2015 (F)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P-1: A TRUE PHOTOCOPY OF THE ORDERS ISSUED BY THE 3RD
 RESPONDENT TO THE PETITIONER.**
- EXT.P-2: A TRUE PHOTOCOPY OF THE LETTER DATED 7.11.2014 ISSUED BY
 THE 3RD RESPONDENT.**
- EXT.P-3: A TRUE PHOTOCOPY OF THE ORDER DATED 5.12.2014 ISSUED BY THE
 3RD RESPONDENT.**
- EXT.P-4: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE
 PETITIONER BEFORE THE 3RD RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 10257 of 2015

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Dated, this the 8th day of April, 2015

JUDGMENT

The grievance of the petitioner is with regard to the continued suspension of the petitioner, who is pursuing studies for the 3rd year General Nursing. It is stated that for no reason at all was the petitioner suspended by the 3rd respondent, as per Ext. P2 order dated 07.11.2014, followed by Ext. P3 communication issued by the very same respondent on 05.12.2014, extending the suspension until further orders.

2. The learned counsel for the petitioner submits that, despite many a request made by the petitioner to revoke the suspension and to permit her to pursue the studies, nothing was transpired in the positive. It is pointed out that, though the petitioner submitted Ext.P4 representation before the 3rd respondent; copy of which has been forwarded to both the District Medical Officer and the Director of Department of Health Services, it is still to be considered. Hence the writ petition.

3. Heard the learned Government Pleader as well.

4. Considering the facts and circumstances, this Court finds that there is no justification for the inaction, if any. The enquiry, if at all any, has to be concluded at the earliest. The continued suspension will adversely affect the rights and interests of the petitioner with regard to her studies. In the said circumstances, the writ petition is disposed of, directing the third respondent to consider and pass appropriate orders on Ext. P4, after hearing, at the earliest, at any rate, within 'two weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the 3rd respondent for further steps.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd