

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12363 of 2016

M.Manoharan

.. Petitioner

-vs-

1. Medical Board Chairman/Joint Director
Joint Directorate
Nagapattinam
Nagapattinam District
2. Dr.Senthil Kumar
Medical Board Member/Psychiatrist
Government Medical College
Vellore
3. Mr.Ashok Kumar, M.A.,
Psychologist
Government Head Quarters Hospital
Nagappatinam, Nagapattinam District
4. The District Collector
Nagapattinam District
Nagapattinam
5. The Director
Health and Welfare Department
DMS Campus, Teynampet,
Chennai 600 006

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records from the file of the first respondent in his reference No.2083/ME/2015 dated 23.06.2015 and quash the same and direct the fifth respondent to conduct re-examination to assess the mental agony of the petitioner.

For Petitioner :: Mr.R.Margabandhu

For Respondents :: Mr.A.Kumar
Special Government Pleader

ORDER

The impugned order passed by the Medical Board has been challenged by Mr.M.Manoharan, on the ground that when the petitioner has applied for medical leave from 5.5.2015 for two months for mental agony, without even properly considering the documents produced and available, the Medical Board has wrongly non-suited the petitioner. Adding further, Mr.R.Margabandhu, learned counsel for the petitioner submitted that even the report issued by the Medical Board is completely cryptic and non-speaking. Therefore, the same is liable to be set aside.

2. But this Court does not find any merits in his submissions. The reason is that the Medical Board, considering the case of the petitioner, has also taken into account the medical certificate issued for the period from 5.5.2015 to 4.7.2015 and after analysing the same, it has been certified that the medical certificate issued for the aforesaid period is not justified. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition fails and it is dismissed. Consequently, W.M.P.No.10697 of 2016 is also dismissed. No costs.

ss

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Chairman/Joint Director
Medical Board
Joint Directorate
Nagapattinam
Nagapattinam District
2. The District Collector
Nagapattinam District
Nagapattinam
3. The Director
Health and Welfare Department
DMS Campus, Teynampet,
Chennai 600 006

+ 1 cc to Mr.R.Margabandhu, Advocate, SR 21178

+ 1 cc to Govt.Pleader, High Court, Madras SR 20923

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