

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2016

CORAM

THE HON 'BLE DR. JUSTICE S.VIMALA

W.P.No.39624 of 2015 and
M.P.No.1 of 2015
& WMP.No.14822 of 2016

G.Dhanalakshmi

.. Petitioner

Vs.

1.The Director of Public Health &
Preventive Medicine,
Chennai-600 006.

2.The Deputy Director of
Health Services,
Dharmapuri.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent vide R.No.6080/E1/2015, culminating in her order, dated 30.10.2015, quash the same and to direct the respondents to reinstate the petitioner in service as Village Health Nurse, Government Primary Health Centre, Solaikottai, D-Thurinjipatti, Dharmapuri District.

For Petitioner : Mr.R.Singaravelan, Sr. Counsel
for Mr.N.Rajan

For Respondents: Mr.S.Gunasekaran
Additional Govt. Pleader

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O R D E R

This Writ Petition has been filed by the petitioner challenging the order, dated 30.10.2015, placing the petitioner under suspension (passed by the second respondent) and to direct the respondents to reinstate her in service as Village Health Nurse, Government Primary Health Centre, Solaikottai, D-Thurinjipatti, Dharmapuri District.

2. Heard the learned Senior Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The petitioner is working as a Village Health Nurse in Government Primary Health Centre, Solaikottai, D-Thurinjipatti, Dharmapuri District, for more than 25 years. The petitioner was stated to be on medical leave for 29 days from 02.11.2015. During that time, proceedings of the second respondent dated 30.10.2015, placing the petitioner under suspension, was received by her.

4.The order of suspension is purported to have been issued under Rule 17(e) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

5.It is the grievance of the petitioner that no grounds for suspension has been stated in the suspension order dated 30.10.2015 and that she has not been paid with the subsistence allowance.

6.The petitioner has sent a representation dated 22.02.2016 to the second respondent/Deputy Director of Health Services, Dharmapuri, stating that she has been suspended from service on 30.10.2015 and no subsistence allowance has been paid to her since January 2016.

7.Since there was no action on the said representation, the petitioner made another representation, dated 28.04.2016 to the first respondent/Director of Public Health & Preventive Medicine, Chennai. As no action has been forthcoming from the respondents till date, the petitioner has come forward with the present Writ Petition.

8.Having regard to the limited prayer sought for by the petitioner in this writ petition, the case is taken up for final disposal, at the admission stage itself.

9.The learned Additional Government Pleader appearing for the respondents would submit that no such representations have been received by the respondents and the respondents would consider the representation, if it is submitted.

10. Under such circumstances, the petitioner is directed to give the copy of the representations sent to the respondents dated 22.02.2016 and 28.04.2016, along with a copy of this order to the first respondent, within a period of one week, from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to consider the same and to pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter.

11.The Writ Petition is disposed of accordingly.
Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrp/dp

To

1.The Director of Public Health &
Preventive Medicine,
Chennai-600 006.

2.The Deputy Director of
Health Services,
Dharmapuri.

+1cc to Mr.N. Rajan, Advocate, S.R.No.28135
+1cc to the Government Pleader, S.R.No.28123

PVS (CO)
EU(10/05/2016)

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