

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.40292 of 2015 &  
M.P.Nos.1 to 3 of 2015

Dr.S.Bavani Umadevi .. Petitioner

Vs.

1.Government of Tamil Nadu,  
Rep.by Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Chennai - 600 009.

2.The Director of Public Health and  
Preventive Medicine,  
Chennai - 600 006. .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to Charge Memo No.44184/DA/11/S1-32 dated 12.12.2011, to quash the same and to issue consequential directions to the first respondent to include the name of the petitioner in the panel for promotion as Joint Director of Health Services for the year 2014-15 approved by first respondent in G.O.[D]No.1137, Health & Family Welfare [L2] Department dated 11.09.2015, above Sl.No.1 therein and promote her as such with retrospective effect from the date of promotion of her immediate junior with consequential service and monetary benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.V.Jayaprakash Narayanan  
Special Government Pleader

O R D E R

The Writ Petition is filed to quash the impugned order of the second respondent dated 12.12.2011 and to issue consequential directions to the first respondent to include the name of the petitioner in the panel for promotion as Joint Director of Health Services for the year 2014-15 approved by

first respondent in G.O.[D]No.1137, Health and Family Welfare [L2] Department dated 11.09.2015, above Sl.No.1 therein and promote her, as such with retrospective effect from the date of promotion of her immediate junior with consequential service and monetary benefits.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents would submit that the Government has issued order in G.O.[D].No.147, Health and Family Welfare [D1] Department, dated 23.01.2016, dropping the charges as against the petitioner and he has also produced a copy of the Government Order.

3.Since the charges against the petitioner is dropped, this Court permits the petitioner to give representation to the respondents seeking promotion to the post of Joint Director of Health, within a period of two weeks from the date of receipt of a copy of this order. The respondents, on receipt of the same, shall consider and pass orders on merits and in accordance with law, within four weeks therefrom.

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

sri

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,  
Government of Tamil Nadu,  
Health and Family Welfare Department,  
Secretariat, Chennai - 600 009.

2.The Director of Public Health and  
Preventive Medicine,  
Chennai - 600 006.

+ 1 cc to M/s. M. Ravi, Advocate sR.5206  
+ 1 cc to Government Pleader Sr.5476

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RSK(CO)  
Eu 04.3.16