

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE B.RAJENDRAN

WP.No.37998/2016 & WMP Nos.32586 & 32587/2016

Florence Institute of Para Medical Sciences,
Sponsored by SPG Educational & charitable Trust,
Represented by its Managing Trustee,
Mrs.J.Ignatius Saral Veda Guruz,
No.24, Dasarpuram, Near Dasar
Higher Secondary School,
Thirunindravur,Thiruvallur-602024.

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Petitioner

...Vs...

1.The State of Tamil Nadu,
represented by the Secretary to Government,
Health & Family Welfare Department,
Fort St.George, Chennai-600 009.

2.The Director of Medical & Rural
Health Services, DMS Complex,
359, Anna Salai,Chennai-600 006.

3.The Joint Director of Health Services,
Thiruvallur,Thiruvallur District.

4. The District Collector,
Collectorate Office,
Thiruvallur.

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Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the impugned order of the 3rd Respondent made in Ref.No.2449/E2/2016 dated 22.08.2016, and quash the same as illegal.

For Petitioner : Mr.K.Chozhan
For Respondents : Mr.A.N.Thambi Durai, Spl.GP

ORDER

Heard the learned counsel for the petitioner and Mr.A.N.Thambi Durai, learned Special Government Pleader, who accepts notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 A perusal of the impugned order would disclose that a surprise inspection was conducted in the petitioner / Institute on 22.08.2016 and that certain violations have been noticed, pursuant to which, the petitioner / Institute was sealed and closed vide impugned order of the 3rd respondent dated 22.08.2016. It is evident from the impugned order that if at all the petitioner / Institute is aggrieved, it can avail the appeal remedy before the District Collector, Tiruvallur. It is also seen from the typed set of documents that the petitioner / Institute has already preferred an appeal in the form of representation dated 31.08.2016 to the 4th respondent / District Collector, Tiruvallur, challenging the legality of the impugned order. This Court is of the considered view that the petitioner / Institute has already availed the appeal remedy by submitting a

representation/appeal before the 4th respondent. Hence, it would be suffice to direct the 4th respondent to consider and dispose of the said representation/appeal of the petitioner / Institute.

3 Accordingly, the 4th respondent / District Collector, Tiruvallur District, is directed to consider and dispose of the petitioner's representation/appeal dated 31.08.2016 on merits and in accordance with law as expeditiously as possible and communicate the decision taken, to the petitioner / Institute.

4 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

02.11.2016

AP

B.RAJENDRAN., J.

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Health & Family Welfare Department,
Fort St.George, Chennai-600 009.
- 2.The Director of Medical & Rural
Health Services, DMS Complex,
359, Anna Salai,Chennai-600 006.
- 3.The Joint Director of Health Services,
Thiruvallur,Thiruvallur District.
4. The District Collector,
Collectorate Office,
Thiruvallur.

WP.No.37998 of 2016

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