

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.38672 of 2016 and
W.M.P.No.33125 of 2016

Dr.Jose Chellan

.. Petitioner

-Vs.-

1. Medical Council of India,
Pocket-14, Sector-8, Dwaraka Phase-1,
New Delhi-110 077, India.

2. Tamil Nadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam, Chennai-106.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 1st respondent herein to dispose of the petitioner's appeal dated 12.07.2016 and to pass appropriate orders on the said representation expeditiously within the time framed to be fixed by this Court.

For Petitioner : Mr.Thomas T Jacob

For 1st Respondent : Mr.V.P.Raman

For 2nd respondent : Mr.S.Rajeswaran,
Special Government Pleader

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O R D E R

The Writ Petition has been filed seeking to issue a writ of Mandamus, directing the 1st respondent herein to dispose of the petitioner's appeal dated 12.07.2016 as expeditiously as possible within a period stipulated by this Court.

2. Heard the learned Counsel for the petitioner and Mr.V.P.Raman, the learned Counsel for the 1st respondent and Mr.S.Rajeswaran, the learned Special Government Pleader appearing for the 2nd respondent.

3. The only grievance of the petitioner is that he has been debarred by the Tamil Nadu Medical Council for a period of one year from 11.5.2016 by an order of the 2nd respondent dated 23.05.2016. As against the same, the petitioner has filed an appeal before the 1st respondent as early as on 12.07.2016. But till date, it is not known to the petitioner as to whether there is an enquiry or any orders have been passed. In fact, the punishment period itself is one year suspension out of which, the petitioner has already undergone 6 months period. Hence, the present Writ Petition is filed to dispose of the appeal within a specified period fixed by this Court.

4. Considering the facts and circumstances, without going into the merit of the claim made by the petitioner, this Court directs the 1st respondent to dispose of the petitioner's appeal dated 12.07.2016 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order, after giving opportunity to the petitioner.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. Medical Council of India,
Pocket-14, Sector-8, Dwaraka Phase-1,
New Delhi-110 077, India.

2. Tamil Nadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam, Chennai-106.

+2 ccs to Mr.Thomas T.Jacob Advocate sr 73216

W.P.No.38672 of 2016

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