

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.485 of 2016

M.G.Raghuraman

.. Petitioner

Vs.

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

2.The Director of Drugs Control,
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 relating to the impugned order of the first respondent in Letter No.8212/D2/2008-6 dated 23.09.2015 and quash the same and direct the respondents to pass final orders in the disciplinary proceedings initiated against the petitioner by the second respondent in Charge Memo R.No.6746/E1/2005 dated 04.01.2007 and Charge Memo R.No.6637/E1/2006 dated 30.06.2008 and permit the petitioner to retire from service with effect from 31.07.2007 and grant him all consequential benefits including retirement benefits with interest and promotion as Assistant Director of Drugs Control on par with his junior Mr.K.Sundarasamy.

For Petitioner : Mr.P.Manoj Kumar

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

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The Writ Petition is filed to quash the impugned order of the first respondent dated 23.09.2015 passed in Letter No.8212/D2/2008-6 and direct the respondents to pass final orders in the disciplinary proceedings initiated against the

petitioner by the second respondent in Charge Memo R.No.6746/E1/2005 dated 04.01.2007 and Charge Memo R.No.6637/E1/2006 dated 30.06.2008 and permit the petitioner to retire from service with effect from 31.07.2007 and grant him all consequential benefits including retirement benefits with interest and promotion as Assistant Director of Drugs Control on par with his junior Mr.K.Sundarasamy.

3.Heard the submissions of Mr.P.Manoj Kumar, learned counsel appearing for the petitioner, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.Learned Special Government Pleader appearing for the respondents would submit that the Government has issued order in G.O.[D].No.126, Health and Family Welfare [D2] Department, dated 20.01.2016 thereby the first charge framed against the petitioner was dropped and with regard to the second charge, the petitioner was asked to submit his explanation for imposition of punishment. By issuing G.O[D].No.127, Health and Family Welfare [D2] Department, dated 20.01.2016, the order of suspension issued against the petitioner is revoked. He has also produced copies of the Government Orders.

5.Learned counsel appearing for the petitioner submitted that the petitioner is ready to give his explanation within a period of two weeks.

6.This Court, taking into consideration the submissions of the learned counsel for the petitioner, permits the petitioner to submit his explanation for the letter issued by the first respondent in Letter No.8212/D2/2008-6 dated 23.09.2015 by enclosing a copy of this order as well as copy of the relevant records, within a period of two weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the same, is directed to consider the said explanation, on merits and in accordance with law and pass appropriate orders, within a period of four weeks therefrom and communicate the decision taken to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600 009.

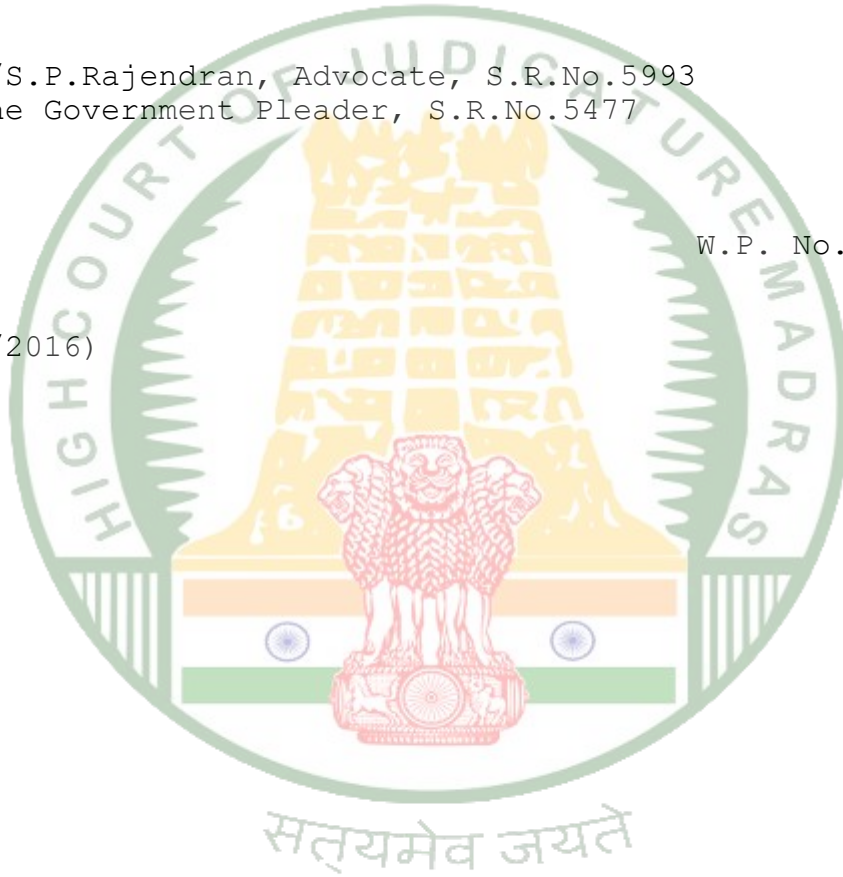
2.The Director of Drugs Control,
Chennai - 600 006.

+1cc to M/S.P.Rajendran, Advocate, S.R.No.5993

+1cc to the Government Pleader, S.R.No.5477

W.P. No.485 of 2016

mp (CO)
srg (08/03/2016)



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