

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.30003 of 2017

K.Saradha
Government Adi Dravidar
Welfare Girls Hostel,
Kamudhi,
Ramanathapuram District

.. Petitioner

-VS-

1. The Director,
Adi Dravidar Welfare Department,
Kamaraj Salai,
Chepauk, Chennai – 600 005
2. G.Mariammal
Government Adi Dravidar Welfare Girls
Hostel, Neeravi,
Ramanathapuram

3. Dr.N.Sundaram, B.Sc., MBBS
Chief Ciivil Surgeon (RTD),
Kamuthu, Ramnad District

(Suo motu impleaded as per order
dated 23.11.2017 by TRJ.,)

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent herein in proceedings Na.Ka.No.01/16135/2017 dated 03.11.2017, quash the same and consequently direct the 1st respondent herein to allow the petitioner to continue to serve as warden at Kamuthi in Government Adi Dravidar Welfare Girls' Hostel.

For Petitioner :: Mr.M.Ravi
For Respondents:: Mr.R.A.S.Senthilvel for R1 and R2
 Additional Government Pleader

 Mr.C.Arul Vadivel for R3

ORDER

The Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus by calling for the records on the file of the 1st respondent herein in proceedings Na.Ka.No.01/16135/2017 dated 03.11.2017, quash the same and consequently direct the 1st respondent herein to allow the petitioner to continue to serve as warden at Kamuthi in Government Adi Dravidar Welfare Girls' Hostel.

2. Today, when the matter is taken up for hearing, pursuant to the order passed by this Court on 23.11.2017, Dr.N.Sundaram, Chief Civil Surgeon (Retd), Kamuthi appeared before this Court.

3. Learned counsel appearing for 3rd respondent, namely, Dr.N.Sundaram submitted that he is the family doctor of petitioner for nearly 4 years and he knows the treatment undertaken by the petitioner for left breast cancer in the year 2005 in Madurai Institute of Oncology, Madurai and she has been taking treatment from Dr.B.K.C.Mohan Prasad, a Senior Consultant Oncologist, Madurai. Adding further, he stated that the

3rd respondent, has not prescribed any medicine for treatment of cancer, but, treated her on several occasions only in respect of general health ailments like fever, stomach ache, cough etc., He has only prescribed medicines and also treated the petitioner in compliance with the Rules framed by the Medical Council of India and only based on the other medical documents produced by her, he has given a certificate that she is a patient suffering from cancer and the said certificate was issued in good faith and there is no bad intention.

4. It is at this stage, Mr.M.Ravi, learned counsel appearing for petitioner submitted that he has been advised to withdraw the writ petition, since the petitioner is not prosecuting the writ petition. Accordingly, he sought permission to withdraw the same with liberty to pursue her representation with the Department Level.

5. Heard the learned counsel for the petitioner and the learned respective counsel appearing for the respondents and perused the documents available on record.

6. This Court, taking note of the submission made by learned counsel for the petitioner and considering the affidavit filed by 3rd

T.RAJA,J.,

ssd

respondent namely, Dr.N.Sundaram, Chief Civil Surgeon (Rtd), Kamuthi, Ramnad District herein closes the Writ Petition, as nothing survives for adjudication.

Speaking/Non speaking order
Index : yes/no

08.12.2017

ssd

To

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