



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13684 of 2017

A.Ayyammal

... Petitioner

-vs-

1. The Director,
Public Health and Preventive Medicine,
Chennai-600 006.
2. The Deputy Director of Health Services,
Theni, Theni District.
3. Dr.Kanchana,
Joint Director (in charge)
RBSK Programme,
Office of the Director,
Public Health and Preventive Medicine,
Chennai-600 006.
4. Dr.Senthil Kumar,
Principal,
Training Centre,
Office of the Deputy Director of Health Services,
Viswanathapuram, Madurai.
5. Dr.Dhandapani,
Block Medical Officer,
Government Primary Health Centre,
Dompucherry, Theni District.
6. Dr.Panjali Murugan,
Block Medical Officer,
Government Primary Health Centre,
Gudalur, Theni District.
7. Somasundaram,
Assistant,
Government Primary Health Centre,
Dompucherry, Theni District.



8. Gopala Krishnan,
Office Superintendent,
Government Primary Health Centre,
Gudalur, Theni District.

9. B.Bala Murugan,
Assistant,
Office of the Deputy Director of Health Services,
Theni, Theni District.

10. Naga Subramanian,
Office Superintendent,
Government Primary Health Centre,
Thottappa Nayakanur,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action against the respondents 3 to 10 based on the petitioner's complaint dated 24.03.2017.

For Petitioner : Mr.C.Ganeshkumar

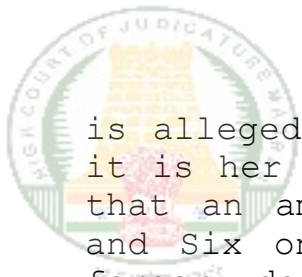
For Respondents 1 and 2 : Mr.Raja Karthikeyan,
Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The petitioner has come to this Court seeking a Writ of Mandamus directing the respondents 1 and 2 to take appropriate action against the respondents 3 to 10 based on the petitioner's complaint dated 24.03.2017.

3.A peculiar argument has been advanced before me that when the petitioner was placed under suspension, while working in the Government Primary Health Centre, Kurangani, on deputation from 15.04.2015 till 07.07.2015, without any reason, the respondents have come forward to serve the suspension order and when the petitioner was not in her house, the respondents resorted to affix the copy of the suspension order on the wall of her residence. However, no subsistence allowance was paid to the petitioner, despite her repeated requests to the respondents 1 and 2. It is stated that the respondents 3 to 10 insisted on her to give a false undertaking to that effect that she was staying at Kurangani. Since, the petitioner refused to do so, it



is alleged that subsistence allowance has not been paid. However, it is her case that when she verified her bank account, she found that an amount of Rs.60,606/- (Rupees Sixty Thousand Six Hundred and Six only) has been credited into her account by creating a forgery document.

WEB COPY

4.This Court is not inclined to appreciate the said argument of the petitioner for the following reasons:

4.1.Firstly, the order of suspension was affixed, admittedly, on the wall of the petitioner's residence, since the petitioner refused to receive the copy of the same ;

4.2.Secondly, when the petitioner made a complaint that no subsistence allowance was paid, the same has been rightly credited on her bank account. Therefore, the question of creating forgery documents, as though, she has given an undertaking that her subsistence allowance should be paid and credited in her bank account is false.

6.In view of the above, this Court finds no reason to entertain this writ petition. Accordingly, this writ petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Director,
Public Health and Preventive Medicine,
Chennai-600 006.
2. The Deputy Director of Health Services,
Theni, Theni District.

+1 cc to Mr.C.Ganesh Kumar , Advocate in SR.No. 67651
+1 cc to The Special Government Pleader in SR.No.68286

Mrn/RR

AE/SKN RSK/SAR3/17.08.2017/3P/5C

W.P (MD) No.13684 of 2017
25.07.2017