



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.05.2017

WEB COPY

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.8776 of 2017
and
W.M.P. (MD) No.6730 of 2017

R.Pushpa

... Petitioner

-vs-

1. The Director of Medical Education,
162, E.V.R.Periyar Salai,
Kilpauk,
Chennai - 600 010.

2. The Dean,
K.A.P. Vishwanatham Government Medical College,
Collector office Road,
Periyamilagapurai,
Tiruchirapalli - 620 001.

3. The Junior Administrative Officer,
Administrative Block,
K.A.P. Vishwanatham Government Medical College,
Collector office Road,
Periyamilagapurai,
Tiruchirapalli - 620 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari, calling for the records pertaining to impugned award order passed by the 2nd Respondent in Na.Ka.No.339/Thi.Va./2015 dated 26.04.2017 and quash the same as illegal.

For Petitioner : Mr.J.K.Jeyaselan,

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

**O R D E R**

The petitioner is working as a Staff Nurse in the Government Hospital, Trichy and she was allotted Staff Quarters in the year 2015. However on verification of the records by the Authorities, it was found that she had taken housing loan and has purchased a house property, suppressing which, she got allotment of staff quarters.

2. The learned counsel for the petitioner strenuously contended that the house is in the name of the petitioner and her husband, but it is far away.

3. The fact remains that the petitioner owns a house which she has suppressed to the Authorities. There are several Government servants who do not own a house and are staying in rented premises and are commuting to the place of work. The argument of the learned Counsel for the petitioner that the petitioner's house is far away and the petitioner has to come to the work place by two buses, cannot be a reason for suppression.

4. The learned Counsel for the petitioner submitted that the petitioner was not put on notice before the impugned order was passed.

5. In the considered opinion of this Court, the order has been passed after perusing the admitted records viz., the monthly salary statement of the petitioner, which shows the deduction for the housing loan. In the teeth of such clinching materials that is available with the respondents, the petitioner cannot be heard to complain that she must be given a fair opportunity by the Authorities before passing the impugned order. At the first instance, this petitioner should not have resorted to suppression, for which no indulgence can be shown.

6. In view of the above, this Writ Petition is devoid of merits and the same is dismissed. However, time is granted till 30-June-2017 for the petitioner to hand over the staff quarters to the Authorities. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar



To

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+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 55776

+ 1 CC TO Mr.J.K.JEYASELAN, ADVOCATE IN SR No. 55640

CMR/SSL

TE/RSK/SAR-IV : 09/05/2017 : 3P/6C

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