

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.08.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.540 of 2017

and

W.M.P.Nos.570, 571 & 5243 of 2017

Dr.M.P.Raja

..Petitioner

vs

The Commissioner of Food Safety & Drugs Administration,
DMS Campus, Teynampet,
Chennai - 600 006.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings issued by the Respondent in R.No.6089/2016/S7/FSSA dated 21.12.2016 and to quash the same.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.E.Manoharan, AGP

O R D E R

The order passed by the Commissioner of Food Safety and Drug Administration, Chennai in proceedings dated 21.12.2016 is under challenge in this writ petition.

2.The grievances of the writ petitioner is that he was initially appointed in the Public Health Department and pursuant to the enactment of Food Safety Act, he had undergone the training course and thereafter, appointed as Designated Officer by the Food Safety Commissioner under the provisions of the Act. The petitioner was working as Designated Officer to perform the duties and responsibilities under the provisions of the Food Safety Act. He was transferred to his Parent Department namely, the Public Health and Preventive Medicine Department in proceedings dated 21.12.2016, on the ground that he has committed certain misconducts and insubordination. However, it is brought to the notice of this Court that the writ petitioner,

pursuant to the impugned order, had already joined in the Department of Public Health and Preventive Medicine Department.

3.The learned Additional Government Pleader appearing on behalf of the respondents produced the joining letter given by the writ petitioner and after joining in the Public Health Department, the writ petitioner was transferred and posted at Cuddalore. Thus, the petitioner has to join duty and serve in the interest of public. It is expected that the writ petitioner being a Doctor, is bound to serve the society at large and in the interest of public.

4.Thus, this Court is of an opinion that further adjudication need not be entertained and Mr.G.Sankaran, learned counsel appearing for the writ petitioner also informed this Court that the writ petitioner had joined in the Public Health Department. Further, it is informed that the writ petitioner has now posted in the Labour Department on deputation. The grievance of the writ petitioner is that the salary has not been paid and the authorities competent are bound to send the service records for taking steps to pay salary to the writ petitioner.

5.With these observations, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The Commissioner of Food Safety & Drugs Administration,
DMS Campus, Teynampet,
Chennai - 600 006.

+1cc to Mr.G.Sankaran, Advocate Sr.54182
+1cc to the Government Pleader Sr.54293

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