

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2018

Coram:

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.7386 of 2007
(O.A.No.5329 of 2002)

K.Thevasena

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by its Secretary to Government,
Health & Family Welfare Department,
Chennai - 600 009 .

2.The Director of Medical & Rural Service,
DMS Campus,
Teynampet,
Chennai-6.

... Respondents

Prayer:- Writ petition came to be numbered by transfer of O.A.No.5329 of 2002 on the file of the Tamil Nadu Administrative Tribunal praying to call for the records on the file of the first respondent in connection with the orders in G.O.(D). No.1130 dated 24.08.1998 and 13.08.2001 and to quash the same and consequently to direct the respondents to grant all the monetary and service benefits.

For Petitioner : Mr.R.Singaravelan (Sr.Counsel)
For P.Brinda

For Respondents: Mr.M.Sricharan Rangarajan
Addl. Government Pleader

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O R D E R

This Writ Petition, which was initially filed before the Tamil Nadu Administrative Tribunal, as Original Application No.5329 of 2002 has been transferred to the file of this Court and re-numbered as Writ Petition.

2. The challenge, in this Writ Petition is to the order passed by the first respondent, dated 24.08.1998, whereby and whereupon, punishment of censure was passed against the petitioner.

3. Mr. R.Singaravelan, the learned Senior Counsel appearing on behalf of the writ petitioner restricts by prayer, by stating that it is suffice if a direction is issued to consider the petitioner's representation made for grant of service benefits to the writ petitioner on par with her Junior to the post of Junior Administrative Officer.

4. The fact remains that, on account of certain allegations, enquiry was conducted and the punishment of Stoppage of Increment for six months without cumulative effect was imposed, and the said punishment was reduced to that of censure.

5. The learned Senior Counsel has made a submission that on account of the minor punishment of censure, the writ petitioner has been deprived of her promotion throughout her carrier.

6. The learned Senior Counsel made a submission that the Punishment of censure is a minor punishment in the nature and the writ petitioner is retired from service on attaining the age of superannuation, and therefore, no further adjudication is required in this Writ Petition, in respect of the Punishment of censure.

7. Thus, the petitioner is at liberty to submit a detailed representation enclosing all the relevant documents to the first respondent within a period of four weeks from the date of receipt of a copy of this order. As and when such an representation is being received from the petitioner, the first respondent is directed to consider the same insofar as it relates to promotion is concerned on merits and in accordance with law and pass appropriate orders within a period of twelve weeks.

8. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msm

To

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Health & Family Welfare Department,
Chennai - 600 009 and Another.

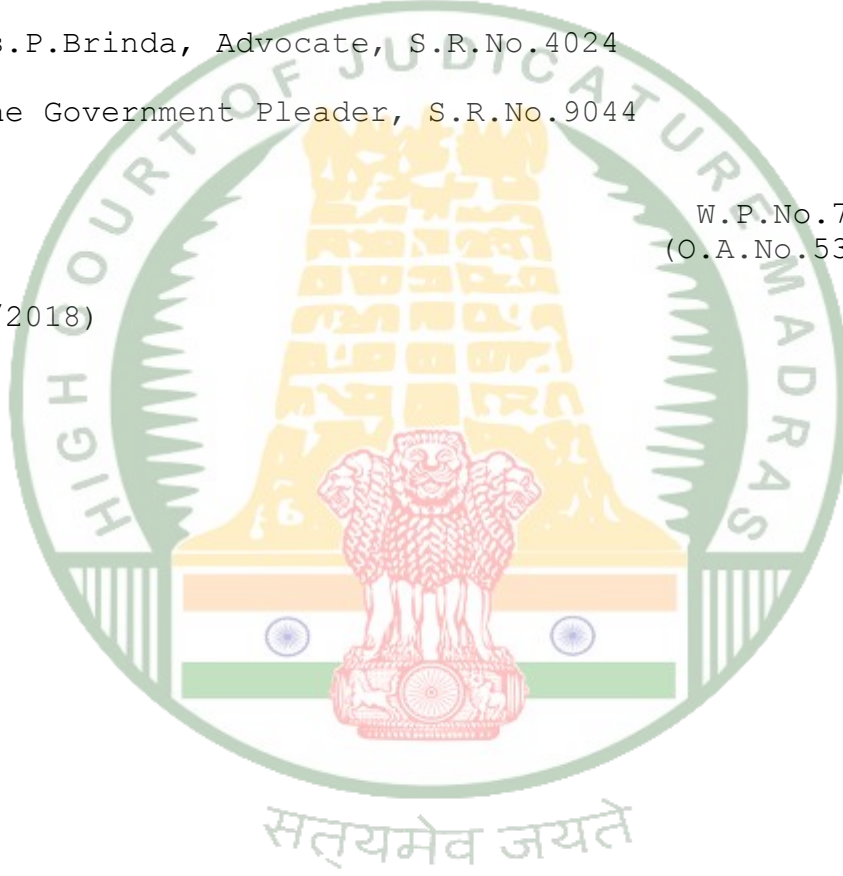
2.The Director of Medical & Rural Service,
DMS Campus,
Teynampet,
Chennai-6.

+1cc to Ms.P.Brinda, Advocate, S.R.No.4024

+1cc to the Government Pleader, S.R.No.9044

W.P.No.7386 of 2007
(O.A.No.5329 of 2002)

RRK(03/04/2018)



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