

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.18807 of 2018 and
W.M.P.No.22169 of 2018

N.Natesan

...Petitioner

Versus

1. The Director of Public Health and Preventive Medicine,
Chennai-600 006
2. The Deputy Director of Health Services,
Namakkal District,
Namakkal
3. The Block Medical Officer,
Upgraded Government Primary Health Centre,
O.Sowdhapuram - 637 505
Namakkal District

Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the Second Respondent relating to the order in R.No.8940 / A1/2017 dated 06.09.2017, to quash the same and to issue consequential directions, directing the second Respondent to reinstate the Petitioner in service with all consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mrs.P.Kavitha,
Government Advocate

ORDER

The grievance of the petitioner, a Pharmacist working under the respondents in this case is that due to registration of a criminal case against him vide Crime No.371 of 2017 for he is practising as a doctor without a degree, he has been put under suspension and as such petitioner in this regard has made a representation to consider his case to review his suspension inasmuch as charge sheet in the aforesaid case has not been filed within three months.

2. The learned counsel for the petitioner submits that the respondents be directed to consider and dispose of the representation of the petitioner taking note of the law laid down in the case of [Ajay Kumar Chowdary v. Union of India], 2015 (7) SCC 291.

3. Mrs.P.Kavitha, learned Government Advocate who takes notice for the respondents, submits that the respondents have no objection for disposal of the representation of the petitioner in accordance with law.

4. In such premises, no useful purpose is going to be served by keeping this writ petition pending by asking for reply affidavit of the respondents and as such this writ petition is disposed of at this stage of admission with the direction to the second respondent to consider the case of the petitioner for revocation of the suspension order taking note of the fact that charge sheet in the aforesaid case has not been filed and also the law laid down by the Apex Court in [Ajay Kumar Chowdary v. Union of India], 2015 (7) SCC 291, within a period of six weeks from the date of receipt of a copy of this Order. Consequently, connected miscellaneous petition is closed. However, in the circumstances there shall be no order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Director of Public Health and Preventive Medicine,
Chennai-600 006
2. The Deputy Director of Health Services,
Namakkal District,
Namakkal
3. The Block Medical Officer,
Upgraded Government Primary Health Centre,
O.Sowdhapuram - 637 505
Namakkal District

+1 CC to Mr.M. Ravi, Advocate sr 49921.
+1 CC to The Govt. Pleader sr 49948.

W.P.No.18807 of 2018

SP(14/08/2018)