

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.04.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33526 of 2006

C. Chinnasamy

... Petitioner

Vs.

1. The State of Tamil Nadu
rep. By the Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai 600 009.
2. Director of Medical and Rural Health Services,
Chennai 600 006. ... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the second respondent in Ref.No.72796/SC1/3/2000 - II dated 24.11.2000 and quash the same.

For Petitioner : Mr. M. Hidayathullakhan
For Respondents : Mr. R. Govindasamy
Special Government Pleader

O R D E R

The petitioner has filed a writ petition challenging the show cause notice dated 24.11.2000 calling upon the petitioner on proved charges for stoppage of increment for a period of six months without cumulative effect. As against the said punishment, the petitioner has filed a representation dated 06.04.2004 to the first respondent/Secretary. But the first respondent has not taken any action. Aggrieved by the inaction of the first respondent, the petitioner has filed a Writ Petition in W.P.No.9421 of 2006. This Court, by its order dated 05.04.2006 has directed the first respondent to consider and pass orders on the appeal preferred by the petitioner on 22.01.2004, on merits and in accordance with law within a period of three months from the date of copy of the order. Later, the first respondent has rejected the appeal as time barred one as per G.O.(D)No.1296, Health and Family Welfare (K2) Department, dated 01.12.2006.

2. Aggrieved by the said order of rejection, again the petitioner has filed a petition on 23.02.2007 before the first respondent against the orders issued in G.O(D) No.1296, Health and Family Welfare Department, dated 01.12.2006. The said petition was also rejected by the first respondent vide G.O.(D) No.926, Health and Family Welfare (K2) Department, dated 31.07.2008 as devoid of merits since the petitioner challenges the show cause notice dated 24.11.2000. Thereafter, two Government Orders are passed rejecting the appeal petition as well as the revision petition submitted by the petitioner dated 01.12.2006 and 23.12.2007 respectively.

In view of the consequential orders passed by the respondent, nothing requires for adjudication in this case. Accordingly, the writ petition is dismissed with liberty granted to the petitioner to workout his remedy in the manner known to law.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gv

To

1. The Secretary to Government,
The State of Tamil Nadu
Health and Family Welfare Department,
Secretariat, Chennai 600 009.
2. Director of Medical and Rural Health Services,
Chennai 600 006.

+1cc to the Government Pleader, S.R.No.25624

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SSI(CO)
CS/11/05/18

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