



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 3533 of 2018

and

W.M.P (MD) No. 3666 of 2018

M. Subramanian

.. Petitioner

Vs.

1. The Dean,
Rajaji Government Hospital,
Madurai, Madurai District.

2. The Government of Tamil Nadu
Represented by its Secretary,
Department of Health and Family Welfare,
Fort St. George, Chennai.

3. The Director of Medical Education,
Kilpauk, Chennai. .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, calling for the records relating to the impugned order dated 13.11.2017 vide order in ref No. 26276/E1/2/2017, issued by the first respondent and quash the same as illegal and reinstate the petitioner into service.

For petitioner : Mr. A.K. Azagarsami
For respondents : Mrs. Srimathy
Special Government Pleader

O R D E R

Heard Mr. A.K. Azagarsami, learned Counsel for the petitioner and Mrs. Srimathy, learned Special Government Pleader for the respondents.

2. By consent of both parties, the main writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is working as Junior Assistant in the first respondent hospital. He was involved in Crime No. 2092 of 2017 and was arrested. Therefore, he was placed under suspension by the impugned order. The order of suspension cannot be faulted. However, since the criminal case has nothing to do with the discharge of the official duties and more than three and half months have elapsed, no purpose will be served by continuing to keep the petitioner under suspension. The first respondent, therefore, directed to revoke the order of suspension and re-instate the petitioner in service forthwith.



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4.This Writ petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The Dean,
Rajaji Government Hospital,
Madurai, Madurai District.
- 2.The Secretary to Government of Tamil Nadu,
Department of Health and Family Welfare,
Fort St.George, Chennai.
- 3.The Director of Medical Education,
Kilpauk, Chennai.

+One cc to Mr.A.K.Alagarsamy, Advocate, SR.No.51510

+One cc to The Special Government Pleader, SR.No.51915

SSS
RL/6C/2P/JC/SAR2/12/3/2018

ORDER MADE IN
W.P. (MD) No. 3533 of 2018
and
W.M.P (MD) No.3666 of 2018

27.02.2018