



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Fourth day of October Two Thousand and Eighteen

PRESENT

WEB COPY

The Hon'ble Mr Justice S.VAIDYANATHAN

WP(MD) No.17952 of 2018

A.JOHN BENEDICT ALEXANDER,
S/o. P.V.AROCKIAM,
DOOR No.3/58, FATIMA NAGAR,
SHANGARA PURAM, NILAKOTTAI TALUK,
DINDIGUL DISTRICT - 624 215.

... PETITIONER

Vs

1 THE STATE OF TAMIL NADU,
REP. BY THE SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, FORT ST. GEORGE,
CHENNAI - 600 009.

2 THE DIRECTOR OF SCHOOL EDUCATION,
DIRECTORATE OF SCHOOL EDUCATION,
DPI CAMPUS, CHENNAI - 600 009.

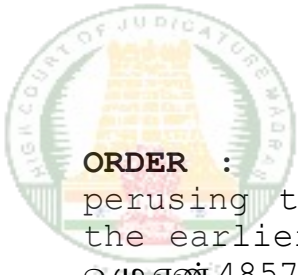
3 THE DISTRICT EDUCATIONAL OFFICER,
O/O THE DISTRICT EDUCATIONAL OFFICER,
DINDIGUL DISTRICT.

4 THE BLOCK EDUCATIONAL OFFICER,
T-VADIPATTI EDUCATIONAL BLOCK,
T-VADIPATTI - 624 218, DINDIGUL DISTRICT.

5 THE CORRESPONDENT,
R.C.MIDDLE SCHOOL,
SHOLAVANDHAN, DINDIGUL DISTRICT.

... RESPONDENTS

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned communication dated 12.06.2018 on the file of the respondent No.5 and quash the same as illegal and consequently to direct the respondents to refer the petitioner to the Medical Board and provide suitable alternate employment or keep the petitioner on a supernumerary post with the same pay scale and service benefits in accordance with the Section 20 of the Rights of Persons with Disabilities Act, 2016.



ORDER : This petition coming on for hearing on this day, upon perusing the petition, and affidavit filed in support thereof and the earlier order of this Court dated 14/08/2018, and the letter in ஓ.மு.எண்.4857/4௫/2018 நாள் 24/09/2018 submitted by the Joint Director of Health Services, மதுரை at Usilampatti, and upon hearing the arguments of Mr.S.LOUIS, Advocate for the petitioner and of Mrs.S.SRIMATHY, Special Government Pleader on behalf of the Respondents 1 to 4, and also Dr.P.R.VIJAYALAKSHMI, Joint Director of Health Services, Madurai at Usilampatti who was appearing before this Court, and this Court while recording her presence, this Court made the following order:-

On yesterday, Mr.R.Sethuraman, the learned Special Government Pleader appearing for the respondents informed that he will instruct Dr.P.R.Vijayalakshmi, Joint Director, Health Services, Madurai at Usilampatti to appear before this Court.

2. Today, when the matter is called, Dr.P.R.Vijayalakshmi, Joint Director, Health Services, Madurai at Usilampatti has appeared before this Court. It is represented that a communication has been wrongly sent to the Judge instead of to the party and that a fresh communication based on the order would be sent to the petitioner. She also tendered her unconditional apology.

3. The submission Dr.P.R.Vijayalakshmi, Joint Director, is placed on record and her presence is dispensed with for the future. Since she is a Doctor, that too, a Government servant, holding the post of Joint Director, this Court expects that she should be very careful in sending these kind of communications.

4. Taking note of the submission, Dr.P.R.Vijayalakshmi, Joint Director, Health Services, Madurai at Usilampatti, is directed to send the fresh communication to the petitioner, within a period of one week from the date of receipt of a copy of this order. If the petitioner is aggrieved by the same, it is open to him to challenge the same.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

TO

1 THE SECRETARY,
STATE OF TAMIL NADU,
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, FORT ST. GEORGE,
CHENNAI - 600 009.



2 THE DIRECTOR OF SCHOOL EDUCATION,
DIRECTORATE OF SCHOOL EDUCATION,
DPI CAMPUS, CHENNAI - 600 009.

3 THE DISTRICT EDUCATIONAL OFFICER,
O/O THE DISTRICT EDUCATIONAL OFFICER,
DINDIGUL DISTRICT.

4 THE BLOCK EDUCATIONAL OFFICER,
T-VADIPATTI EDUCATIONAL BLOCK,
T-VADIPATTI - 624 218, DINDIGUL DISTRICT.

5 THE CORRESPONDENT,
R.C.MIDDLE SCHOOL,
SHOLAVANDHAN, DINDIGUL DISTRICT.

6 THE MEDICAL BOARD OFFICER,
MEDICAL BOARD OFFICE,
USILAMPATTI.

7 Dr.P.R.VIJAYALAKSHMI,
JOINT DIRECTOR OF HEALTH SERVICES,
MADURAI AT USILAMPATTI

DATED : 04/10/2018

ORDER

WP(MD) No.17952 of 2018

Giving direction as stated
within.

TE/RSK/SAR-4 : 03/12/2018 : 3P/8C