

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.8548 of 2013
and MP.No.1 of 2013

S.Janakiraman

.. Petitioner

Vs

1.THE SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE DEPARTMENT,
SECRETARIAT, CHENNAI-600 009.

2.THE DIRECTOR OF MEDICAL AND RURAL HEALTH
SERVICES, CHENNAI-600 006.

.. Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ or order in the nature of Writ more particularly Writ of Certiorarified Mandamus calling for the records 1st respondent made in G.O.(D) No.986 dated 18.09.2012, quash the same, direct the respondents herein to give consequent benefits and to disburse the terminal benefits to the petitioner without further delay.

For Petitioner : Mr.B.Satish Sundar

For RR1 to RR2 : Mr.J.Pothiraj, Spl.GP

ORDER

This writ petition is filed challenging the impugned order of imposing punishment of 'Compulsory Retirement from service' by the respondents by raising several grounds.

2. During the course of arguments, it is brought to the notice of this court that the writ petitioner has already filed Review Petition before the 1st respondent on 03.12.2012 and the aforesaid petition is still pending for consideration. Pending consideration of the said Review Petition before the 1st respondent, the petitioner has challenged the impugned order before this court.

3. The learned Special Government Pleader would submit that in view of the pendency of the Review Petition before the 1st respondent, this writ petition is not maintainable. He would

further submit that the said authority may be directed to consider the review and pass appropriate orders. The learned Special Government Pleader, would further submit that in view of the pendency of this writ petition, the review filed by the petitioner is not disposed of in one way or the other.

4. Considering the facts and circumstances of the case, without going into the merits of the case, the first respondent is directed to consider the review petition dated 03.12.2012 in accordance with law as expeditiously as possible, preferably within two months. It is open to the petitioner to file additional documents, in support of his contention, within one week from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

nvsri

To

1. THE SECRETARY TO GOVERNMENT,
HEALTH & FAMILY WELFARE DEPARTMENT,
SECRETARIAT, CHENNAI-600 009.
2. THE DIRECTOR OF MEDICAL AND RURAL HEALTH
SERVICES, CHENNAI-600 006.

+2CCs to Mr.B.Sathish Kumar, Advocate, SR.No.93917.

+1CC to Special Government Pleader 94105.

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VBA (CO)

CSR: 17/12/2019