

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM

THE HONOURABLE Mr. JUSTICE M. DHANDAPANI

W.P.Nos.16908 to 16912 of 2018
and
W.M.P.Nos.17261, 17262, 17267, 17268, 17271, 20114, 20116,
20118, 20120 and 20122 of 2018
and W.P.No.19026 of 2018
and W.M.P.Nos.17275 of 2019 and 22413 of 2018
and
W.P.No.19910 of 2018 and W.M.P.No.23345 of 2018
and
W.P.No.24329 of 2018 and W.M.P.No.28346 of 2018
and W.P.Nos.16904 to 16907 of 2018

K. Anandan	..Petitioner in W.P.No.16908 of 2018
D.Ravichandran	..Petitioner in W.P.No.16909 of 2018
T.Selvaraj	..Petitioner in W.P.No.16910 of 2018
R.Murugaiyan	..Petitioner in W.P.No.16911 of 2018
Tmt.V.Rani	..Petitioner in W.P.No.16912 of 2018
V.Murugaboopathi	..Petitioner in W.P.No.19026 of 2018
K.Palaiyan	..Petitioner in W.P.No.19910 of 2018
C.Srinivasan	..Petitioner in W.P.No.24329 of 2018
N.Annamalai	..Petitioner in W.P.No.16904 of 2018
V.Srinivasa Perumal	..Petitioner in W.P.No.16905 of 2018
K.Easunatham	..Petitioner in W.P.No.16906 of 2018
D.Saravanaraj	..Petitioner in W.P.No.16907 of 2018

vs

1.The Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Public Health
and Preventive Medicines,
Teynampet,
Anna Salai,
Chennai - 600 006.

..Respondents in all the Writ Petitions

Prayer in all the Writ Petition Except WP No.19026 of 2018: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the 2nd respondent in R.No.56628/DA/01/S1, dated 19.01.2018 and to quash the same.

Prayer in WP No.19026 of 2018 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorari Calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka. No.56628/ O.Na/Iru.1/01 dated 06.07.2018 quash the same.

For Petitioners : Mr.V. Chandrasekaran
in all Writ Petitions

For Respondents : Mrs.R. Janaki,
Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed to quash the order dated 19.01.2018 passed by the 2nd respondent.

2.The learned counsel for the petitioners fairly submitted that the appointment of the Enquiry Officer cannot be challenged by way of Writ Petitions. However, the Enquiry Officer may give permission to the petitioners to cross examine and to produce necessary documents to disprove the prosecution case.

3.The learned counsel appearing for the petitioners has made an endorsement that 'the petitioner may be permitted to withdraw the Writ Petitions with liberty to examine and cross examine the essential witnesses in the enquiry including the Competent Authority who issued Certificate in their favour and the Medical Team".

4. Recording the endorsement made by the learned counsel appearing for the petitioners, these Writ Petitions are dismissed as withdrawn with liberty to examine and cross examine the essential witnesses in the enquiry including the Competent Authority who issued Certificate in their favour and the medical team. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

mps

To
1. The Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

2. The Director of Public Health
and Preventive Medicines,
Teynampet,
Anna Salai,
Chennai - 600 006.

+12cc to Mr. V. Chandrasekaran, Advocate SR.No. 78359 to 78368,
78370 to 78371

+1cc to Government Pleader SR.No. 78423

W.P.Nos. 16908 of 2018, etc., batch

JP (CO)
GMY (04/11/2019)