

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.34304 of 2018

S.Manimekalai

... Petitioner

Vs

- 1 The Director
Medical and Rural Health Services DMS.
Complex Anna Salai Chennai 600 006
- 2 The Joint Director of
Health Services Government Hospital
Perambalur Perambalur District Perambalur.
- 3 The District Siddha Medical
Officer Government Hospital G.H. Complex
Puthur Thiruchirapalli.
- 4 Dr.M.Sundaram
Medical Officer Government Hospital
Krishnapuram Perambalur District.

... Respondents

For Petitioners : M/s.C.Prabhakaran

For Respondents : Mr.R.S.Selvam,
Government Advocate

Prayer :

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus Directing the respondent to pay the salary of the petitioner for the Month of October 2018 and November 2018 based on the representation dated 19/11/2018 and also to take appropriate disciplinary action against the 4th respondent who have failed to pay the salary within the period to the petitioner and other persons and committed an act of misconduct as well as dereliction of duty who being the Medical Officer of Government Hospital, Krishnapuram Block, Perambalur District, within stipulated time.

O R D E R

This writ petition has been filed seeking direction to the respondents to consider the representation of the petitioner dated 19.11.2018. It is the claim of the petitioner that he has been issued with a charge memo dated 30.12.2015 with vague allegations that she did not participate in the awareness program, for which the petitioner has submitted explanations dated 07.01.2016 and 19.02.2016. As there was no response, the petitioner filed W.P.No.40180 of 2016, which is pending before this Honourable Court. The petitioner has also lodged a complaint against the fourth respondent in Crime No.112 of 2018 for the offences punishable under Section 294(b), 354, 506(ii), 509 of IPC and Section 4 of Prohibition of Harassment of Women Act, 2002. While so, the salary of the petitioner for the months of October and November 2018 has not been paid by the fourth respondent, who is the competent authority to process the payment of salary. A representation dated 19.11.2018 has been made by the petitioner in this regard, which did not evoke any response. Hence, the petitioner has filed the present writ petition.

2. Mr.R.S.Selvam, learned Government Advocate takes notice on behalf of the respondents.

3. Considering the limited nature of the prayer during arguments, the respondents are directed to consider the representation of the petitioner dated 19.11.2018, and pass appropriate orders thereon, within a period of four weeks from the date of receipt of a copy of the order. The writ petition is disposed of accordingly. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

kst

To

- 1 The Director, Medical and Rural Health Services DMS.
Complex Anna Salai Chennai 600 006
- 2 The Joint Director of Health Services
Government Hospital Perambalur
Perambalur District Perambalur.

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3 The District Siddha Medical Officer
Government Hospital G.H. Complex
Puthur Thiruchirapalli.

+1cc to M/s.C.Prabhakaran, Advocate, S.R.No.787
+1cc to the Government Pleader, S.R.No.1053

W.P.No.34304 of 2018

CS/11/02/2019



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