



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.21611 of 2019

A.Ayyammal

... Petitioner

Vs.

1.The Secretary to Government,
Rep. by its Secretary,
Health Department,
Secretariat,
Chennai-600 009.

2.Dr.Kolandai Swamy
3.Dr.Varatharajan
4.Dr.Murugan
5.Dhandapani
6.Murugesan
7.Durai Pandi
8.Jeyamani
9.Gopalakrishnan
10.Kannan
11.Ramesh Babu
12.Gowri
13.Muthukumar
14.amaresan
15.Sridhar
16.Kannan
17.Santhakumari

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take necessary action on the basis of the petitioner's representation dated 02.04.2019 to take disciplinary action against the respondents 2 to 17 for violating the law within a time stipulated by this Court.

For Petitioner : Mr.D.Anbarasu

For R1 : Mr.VR.Shanmuganathan,
Special Government Pleader



ORDER

This writ petition is filed for a direction to the first respondent to take disciplinary action against the respondents 2 to 17 for violating the law by considering the petitioner's representation dated 02.04.2019, within a time frame fixed by this Court.

2. According to the petitioner, she was working as a Sector Health Nurse in the year 2005 in the Primary Health Centre, Sivagangai District. During her tenure, she was transferred to various places and certain disciplinary proceedings were initiated against her. She made various allegations against the respondents 2 to 4 while she was in service. She also filed a writ petition in W.P(MD)No.12909 of 2017, alleging certain grievance especially, non-payment of subsistence allowance and salary.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first respondent and perused the materials available on record.

4. From the averments of the affidavit filed in the present writ petition, it is seen that the salary upto January 2019 was paid, when the contempt petition was pending and recording the same, the contempt petition was closed. Now, the petitioner has come out with the present writ petition alleging that at the instigation of the respondents 2 to 4, the respondents 5 to 17 came to her house and affixed the notice with regard to her retirement. They affixed it in the presence of number of persons with a view to humiliate and cause mental agony to the petitioner. On 02.04.2019, she gave a representation to the first respondent seeking to take action against the respondents 2 to 4, for affixing the notice.

5. From the materials available on record, it is seen that the petitioner has not filed any proof of notice being affixed on her house on 30.03.2019. The averments with regard to affixture of notice and allegation against the respondents are vague. In view of the lack of particulars, the petitioner is not entitled for the relief sought for in the writ petition.

6. In view of the above, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)



To

The Secretary,
Health Department,
Secretariat,
Chennai-600 009.

+1 CC to M/s.D. ANBARASU, Advocate (SR-91839[F] dated 15/10/2019)

+1 CC to M/s.SPL GP (SR-92111[F] dated 16/10/2019)

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