

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NOS.13666 AND 14438 OF 2019

COMMON ORDER

As the parties in both the writ petitions are common and the issue involved in connected, they are heard together and are being disposed of by this common order.

Based on the complaint of the 2nd respondent against the writ petitioner, who is a Surgical Oncologist, complaining medical negligence, and further in pursuance of the remands orders of this court in the earlier round of writ petition filed by the petitioner, proceedings are pending before the 1st respondent – Telangana Medical Council, represented by its Registrar. Challenging the said proceedings, petitioner filed W.P.No.13666 of 2019, and this court, vide interim order dated 05.07.2019, granted stay for a limited period. In the meanwhile, the 2nd respondent – complainant, filed letter dated 11.07.2019 along with an affidavit, before the 1st respondent, stating that he intends to withdraw the complaint, and seeking to close the issue, as they have amicably settled the issue. It is stated that on the ground that this court granted interim stay in W.P.No.13666 of 2019, the request of the 2nd respondent was not considered by the 1st respondent. Aggrieved by the action of the respondent No.1 is continuing the proceedings vide TSMC/023/Ethics/Case No.06/2018 despite the 2nd respondent – complainant, requesting to close the complaint through letter dated 11.07.2019, W.P.No.14438 of 2019 is filed.

Heard the learned counsel for the petitioner, Sri D.Bhasker Reddy, learned Standing Counsel for the 1st respondent and Sri A.Bhuvana Sunder Reddy, learned counsel for the 2nd respondent.

Learned counsel for the petitioner and the 2nd respondent submitted that parties have compromised the matter, and requested for a direction to the 1st respondent to close the proceedings pending against the petitioner.

The petitioner as well as the 2nd respondent are present in-person and they were identified by their counsel. Both the parties categorically stated that they have amicably settled the issue and requested to close the proceedings against the petitioner pending on the file of 1st respondent. The petitioner and the 2nd respondent also filed a joint memo to this effect before this court.

Learned Standing Counsel for the 1st respondent – Council submits that because of the stay granted by this court, no decision with regard to closure of the issue could be taken in the matter.

As the complainant intends to withdraw the complaint and the parties have amicably settled the issue, no purpose would be served in continuing the proceedings against the petitioner. Hence, W.P.No.14428 of 2019 is allowed directing, the 1st respondent to forthwith close the proceedings pending against the petitioner vide TSMC/023/Ethics/Case No.06/2018. Consequently, the other W.P.No.13666 of 2019, which is filed challenging the said proceedings, stands closed.

Joint memo dated 12.07.2019 signed by both the parties and their respective counsel, filed at material page No.27, shall be annexed to this order, and forms part of the order.

Interlocutory applications pending, if any, shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

DATE:12—07—2019

AVS

