

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.2542 of 2020
and
WMP No.2956 of 2020

M. Deepa ... Petitioner

-Vs-

1. The Director of Indian Medicine and Homeopathy
Arumbakkam, Chennai 600 106.
2. The District Siddha Medical Officer
Dharmapuri, Dharmapuri District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue an appropriate Order, Directions or Writ including a Writ of Certiorari to call for the records relating to the impugned order of the second respondent in Na.Ka No.2256/Ni/2019 dated 20.12.2019 and quash the same.

For Petitioner : Mr.P. Rajendran

For Respondents: Mr. E. Manoharan
Special Government Pleader.

ORDER

This Writ Petition has been filed challenging the impugned proceedings of the second respondent dated 20.12.2019, wherein the petitioner has been directed to pay a sum of Rs.19,436/- towards the shortage of medicines that were kept inside the pharmacy at Government Head Quarters Hospital.

2. The case of the petitioner is that the petitioner is working as a Siddha pharmacist at the Government Head Quarters Hospital, Krishnagiri. A show cause notice came to be given to the petitioner on 02.01.2020 calling upon the petitioner to give her explanation with regard to the alleged shortage of certain

medicines and other short comings during service. By the time the petitioner gave her explanation, the impugned order came to be passed by the second respondent to the effect that there was shortage of medicines in the pharmacy to the tune of Rs.19,436/- and since the petitioner was in charge of the pharmacy, she has been asked to reimburse this amount. Aggrieved by the same, the present Writ Petition has been filed before this Court on the ground that the order has been passed by the second respondent without giving any opportunity to the petitioner.

3. Heard Mr.P. Rajendran, learned counsel for the petitioner and Mr. E. Manoharan, learned counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case and the grievance that has been expressed by the petitioner, the impugned order dated 20.12.2019, passed by the second respondent, shall be construed to be a show cause notice and the petitioner shall give her explanation for the same within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the second respondent can pass appropriate orders within four weeks. By resorting to this procedure, the petitioner will be given an opportunity to defend herself and give her explanation to the second respondent and the second respondent will have the chance to consider the explanation given by the petitioner and pass orders.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

To

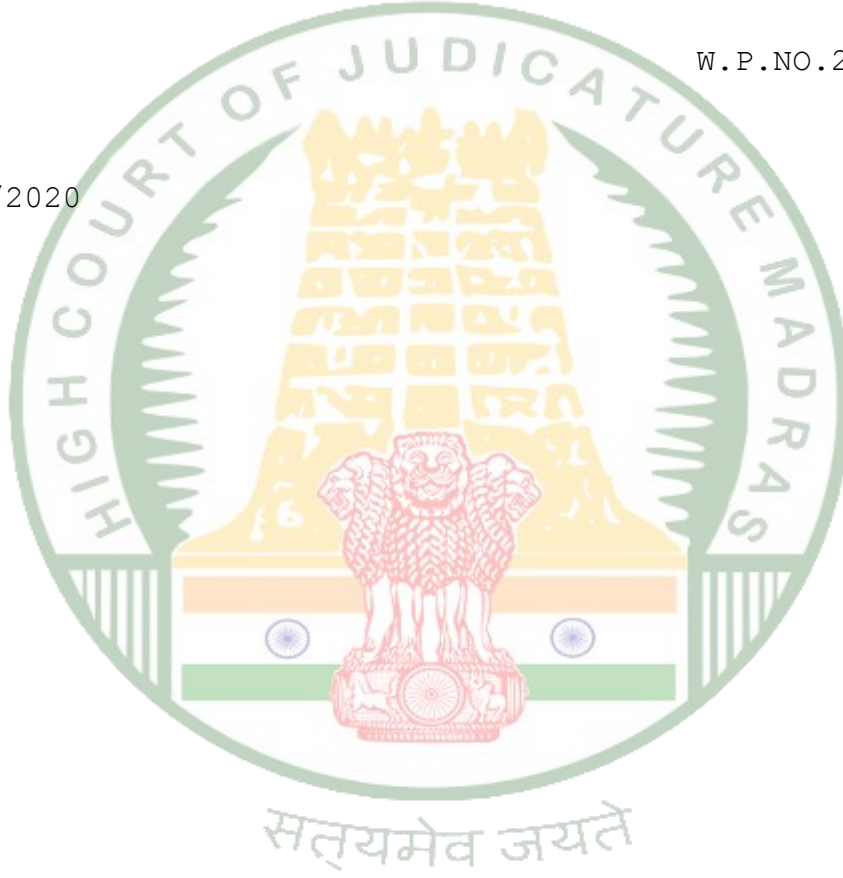
1. The Director of Indian Medicine and Homeopathy
Arumbakkam, Chennai 600 106.

2. The District Siddha Medical Officer,
Dharmapuri, Dharmapuri District.

+1cc to the Government Pleader Sr.9061
+1cc to Mr.P.Rajendran, Advocate Sr.8718

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srg 20/03/2020



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