

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9146 of 2020

and

W.M.P.No.11155 of 2020

Dr.L.Ravichandran

Dhanam Hospital

6/153(1), Bye-Pass Road

Palacode - 636 808

Dharmapuri District.

.... Petitioner

vs

1.The Director of Medical and

Rural Health Service

Teynampet,

Chennai-600 006.

2.The Joint Director of Medical and

Rural Health Service

Kuppur Post

Dharmapuri - 636 704.

.... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified mandamus to call for the records relating to the show cause notice vide Ref.No.7497/E5/2018 dated 03.01.2019 issued by the 2nd respondent and quash the same and consequently, direct the respondents to de-seal the scan centre of the petitioner at Dhanam Hospital, 6/153(1), Bye-Pass Road, Palacode - 636808, Dharmapuri District and permit the petitioner to operate the same.

For Petitioner

: Mr.A.Sundaravadhanan

For Respondents

: Mr.R.Govindasamy

Special Government Pleader

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed against the proceedings of the 2nd respondent dated 03.01.2019, which is nothing but a show cause notice calling upon the petitioner to give his explanation to the charges mentioned in the impugned notice.

3. In the said show cause notice, it is alleged that an inspection conducted revealed certain lapses in running the scan centre. It is an admitted fact that the impugned proceedings is only a show cause notice and mere allegation is made against the petitioner, to which, the petitioner can suitably reply and satisfy the respondents as to whether the allegation made against the petitioner is false or not. Without doing so, the petitioner straight away filed the present writ petition challenging the show cause notice, which this Court is not inclined to entertain. However, as it is stated that the petitioner has already given a reply to the said show cause notice, it is for the second respondent to consider the reply and pass orders on the same on merits and in accordance with law.

4. Accordingly, this Writ Petition is disposed of, only by directing the second respondent to consider the reply filed by the petitioner and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

mk/vri

To

1. The Director of Medical and Rural Health Service
Teynampet,
Chennai-600 006.
2. The Joint Director of Medical and Rural Health Service
Kuppur Post
Dharmapuri - 636 704.

W.P.No.9146 of 2020

BR(CO)

VS 27.08.2020