



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD) No.1687 of 2020

and

W.M.P (MD) No.1419 of 2020

WEB COPY

Dr.G.Natarajan
Professor and Headmaster
Department of Forensic Medicine
Sivagangai Medical College,
Sivagangai District.

... Petitioner

/vs./

1.The State of Tamil Nadu,
Rep by its Principal Secretary
Department of Health & Family Welfare
Fort St.George, Chennai-600 009.

2.The Director of Medical Education,
Kilpauk, Chennai-600 010.

3.The Dean
Sivagangai Medical College,
Sivagangai District.

4.The Dean
Madurai Government Medical College,
Madurai, Madurai District.

5.Dr.T.Selvaraj
Associate Professor,
Department of Forensic Medicine
Madurai Government Medical College,
Madurai, Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the first and second respondents to conclude forthwith the disciplinary proceedings initiated by the second respondent on the petitioner under Charge Memo vide proceedings in Na.Ka.No.89613/C.Ma.Pi 1/3/2016 dated 09.02.2017.

For Petitioner

: Mr.Isaac Mohanlal
Senior Counsel
for K.Ragatheesh Kumar
: Mr.V.Anand
Government Advocate

For R-1 to R-4



ORDER

This Writ Petition is filed to direct the first and second respondents to conclude the disciplinary proceedings initiated against the petitioner vide Charge Memo in Na.Ka.No.89613/C.Ma.Pi 1/3/2016 dated 09.02.2017.

2.It is stated by the learned Senior Counsel appearing for the petitioner that the entire proceedings have been concluded and awaiting for report of the Enquiry Officer.

3.This Court is of the view that the pendency of the disciplinary proceedings initiated against the petitioner for more than 2 ½ years is an inordinate delay and as such, this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India, directing the second respondent to conclude the disciplinary proceedings within the stipulated time.

4.In view of the above observations, there shall be a direction to the second respondent to conclude the disciplinary proceedings initiated against the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cp

To:

1.The Principal Secretary,
State of Tamil Nadu,
Department of Health & Family Welfare,
Fort St.George, Chennai-600 009.



2.The Director of Medical Education,
Kilpauk, Chennai-600 010.

3.The Dean
Sivagangai Medical College,
Sivagangai District.

4.The Dean
Madurai Government Medical College,
Madurai, Madurai District.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-3862[F] dated
30/01/2020)

+1 CC to SPL.GP (SR-4325[F] dated 31/01/2020)

Order made in
W.P.(MD)No.1687 of 2020

Dated:
29.01.2020

KM/(12.02.2020) 3P 7C