



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.16083 of 2010

and

M.P.No.2 of 2010

Dr.V.Balasubramanian

.. Petitioner

vs.

1.The Secretary to Government,
Health & Family Welfare Department,
Fort St.George, Chennai-9.

2.The Director of Medical & Rural Health Services,
Chennai-6.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned order of suspension passed by the first respondent in G.O(D)No.153, Health and Family Welfare Department dated 26.02.2008 and quash the same and consequently, direct the respondents to allow the petitioner to retire from service with effect from 28.02.2008 and pay all the terminal and pensionary benefits with interest.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.T.Arunkumar,
Additional Government Pleader

O R D E R

The petitioner, challenging the impugned order of suspension passed by the first respondent dated 26.02.2008 and consequently, not allowing the petitioner to retire from service with effect from 28.02.2008, has filed the present writ petition.

2. The learned counsel for the petitioner submitted that he



has attempted to contact the petitioner to ascertain the present status, but he is unable to contact the petitioner and therefore, reported no instructions before this Court.

3. Considering the prayer sought for by the petitioner, this Court is of the view that the impugned suspension order was passed in the year 2008, now allowing him to retire and at this distant point of time, the prayer in the writ petition would not be sustainable and final orders would have been passed in the pending disciplinary proceedings against the petitioner.

4. Accordingly, this writ petition stands closed, granting liberty to the petitioner to approach the authorities concerned if no final order has been passed in the disciplinary proceedings and if any final order has been passed in the disciplinary proceedings, the petitioner may seek his further remedy before the competent forum in the manner known to law. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Secretary to Government,
Health & Family Welfare Department,
Fort St.George, Chennai-9.
2. The Director of Medical & Rural Health Services,
Chennai-6.

+1cc to the Government Pleader, S.R.No.62644

W.P.No.16083 of 2010

GSM(CO)
SU(07/12/2021)