

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2021

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.Nos.11871 & 11874 of 2021 and
W.M.P.Nos.12630, 12632, 12633 and 12635 of 2021

R.Uma

...

Petitioner in both WP's

-Vs-

The Director of Medical Education,
Kilpauk, Chennai-10.

....

Respondent in both WP's

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of (i) a Writ of Certiorari to call for the records relating to the impugned show cause notice issued by the Respondent in Ref.No.23570/SCII/1/2021-2 dated 07.4.2021 and quash the same; and (ii) a Writ of Certiorarified Mandamus to call for the records relating to the impugned show cause notice issued by the Respondent in Ref.No.23570/SCII/1/2021-1 dated 07.4.2021 and quash the same and consequently directing the Respondent to reinstate the petitioner into service with all consequential benefits.

For Petitioner : Mr.A.Maheshnath

For Respondent : Mr.M.Elumalai, AGP

COMMON ORDER

Mr.M.Elumalai, learned Additional Government Pleader accepts notice for the respondent.

2. The impugned order dated 07.4.2021 is questioned in these writ petitions contending that proper procedure has not been followed.

3. The petitioner herein, who was working as a staff nurse at Government Ophthalmic Hospital, Egmore, Chennai has been convicted under Section 138 of the Negotiable Instruments Act and thereafter, Criminal Appeal No.34 of 2019 has also been filed by the petitioner, which came up for consideration before

the Second Additional Sessions Court, Tanjavur and it was also dismissed. Thereafter, independently and quite rightly, proceedings have been initiated under Rule 17(c)(i)(1) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and a show cause notice was issued. That show cause notice has now been challenged. Even in the show cause notice, it has been stated that a representation can be given and a period of 15 days has been granted. However, the petitioner did not give any representation within the said period of 15 days.

4. Rather, it is informed that the petitioner had given a representation on 30.4.2021 well past the 15 days period. The show cause notice is dated 07.4.2021.

5. In view of the said submission made by the learned counsel for the petitioner, the respondent may consider the representation of the petitioner dated 30.4.2021 and thereafter pass a considered order in the normal course.

6. With the above direction, the writ petitions are disposed of. No costs. Consequently, the connected WMPs are closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

RS/KST

To

The Director of Medical Education, Kilpauk, Chennai-10.

W.P.Nos.11871 & 11874 of 2021 &
WMP.Nos.12630, 12632, 12633
and 12635 of 2021

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C.V.KARTHIKEYAN, J.

RS/KST



13.5.2021

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