



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.P.NO.16119 OF 2021

[Video Conferencing]

Dr.R.Renuka, M.B.B.S., C.M.R.D.,
Presently M.D.(HBT) PG

... Petitioner

.Vs.

The Director of Medical and Rural Health Services,
No.359, Anna Salai, Teynampet,
Chennai - 600 006.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondent to consider the petitioner's representation dated 22.06.2021 and pass appropriate order so as to make the petitioner eligible to include her name in the ensuing Chief Civil Surgeon Panel to be formed on 01.03.2022 and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.M.Meenakshi Sundaram

For Respondent : Mr.C.Kathiravan
Government Advocate

ORDER

1. By consent of the learned counsel on either side, this writ petition is taken up for final disposal. The learned Government Advocate takes notice on behalf of the respondent.

2. The writ petition has been filed to issuance of a writ of mandamus, directing the respondent to consider the petitioner's representation dated 22.06.2021 and pass appropriate order so as to make the petitioner eligible to include her name in the



ensuing Chief Civil Surgeon Panel to be formed on 01.03.2022, within a time frame.

3. The case of the petitioner is that the petitioner was temporarily appointed through Tamil Nadu Public Service Commission on 10.04.2000 as Assistant Surgeon under Category 2 of Class I at Tamil Nadu Medical Services and posted in Primary Health centre at Thirupathur District and subsequently on 19.04.2002, the petitioner was regularised as Assistant Surgeon by the Director of Public Health and Preventive Medicine at Teynampet. For delinquency committed, the petitioner was issued with a charge memo for taking frequent medical leave from January 2008- May 2008 and disciplinary action was also taken and imposed a punishment of stoppage of the increment for the period of six months without cumulative effect on 28.03.2011. For another delinquency committed in the year 2009 & 2010, again the petitioner was issued with a charge memo during the month of May - 2015 for unauthorized absence and disciplinary action was again taken and imposed punishment of stoppage of increment for the period of six months without cumulative effect on 07.02.2017. Since the petitioner will lose promotional avenues, and his juniors would get promotion, he will be put to irreparable loss and hence, his representation dated 22.06.2021 may be considered at the earliest.

4. The learned Government Advocate submitted that the petitioner on mere apprehension, has come forward with this writ petition and hence, nothing survives in this writ petition.

5. This Court heard the rival submissions on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case, this Court is of the view that there is no merit in this petition and hence, this Court is not inclined to pass any orders in this writ petition, and accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssi



To

1. The Director of Medical and Rural Health Services,
No.359, Anna Salai, Teynampet,
Chennai - 600 006.

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+1cc to Mr.R.M.Meenakshi Sundaram, Advocate, S.R.No.37886
+1cc to the Government Pleader, S.R.No.38086

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PCH(CO)
CT/31/08/2021