



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.3770 of 2019

Alwarappan

... Petitioner

vs.

1.The Deputy Director of Health Services,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to conclude the disciplinary proceedings initiated against the petitioner by the first respondent in R.No.11155/A1/18, dated 30.11.2018 and also to direct the second respondent to conclude the investigation in Crime No.4 of 2018, dated 29.11.2018 within a stipulated period.

For Petitioner : Mr.T.Kumar
For Respondents : Mr.P.Subbaraj
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the first respondent to conclude the disciplinary proceedings initiated against him, dated 30.11.2018 and to direct the second respondent to conclude the investigation in Crime No.4 of 2018, dated 29.11.2018.

2.According to the petitioner, he was appointed as Multi-purpose Health Worker at Alangulam Primary Health Centre in the year 1989 and promoted as Block Health Supervisor. While he was working as Block Health Supervisor at Primary Health Centre, Eral, Thoothukudi District, he was arrested and remanded to judicial custody based on the false complaint given by one Jeyakumar, who was working as a supporting staff at Dr.G.U.Pope Educational College, Sayarpuram. The petitioner was enlarged on bail on 05.12.2018. In view of the arrest of the petitioner, the first respondent placed the petitioner under suspension, by proceedings, dated 30.11.2018. The petitioner is going to attain the age of superannuation this



year ie., 2021. Hence, the petitioner has come out with the present Writ Petition.

3.The respondents have filed counter-affidavit.

4.Mr.P.Subbaraj, learned Government Advocate appearing for the respondents submitted that in view of serious nature of misconduct, the petitioner was suspended from service and the criminal case of grave nature is pending against the petitioner and prayed for dismissal of the Writ Petition.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the entire materials available on record.

6.From the above rival submissions, it is seen that both the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents have not stated that the disciplinary proceeding is initiated and the same is pending against the petitioner in respect of the present criminal case. Further, the petitioner has to approach the appropriate criminal Court for early disposal of the criminal case.

7.In view of the above, the Writ Petition is dismissed. If the respondents initiate disciplinary proceedings against the petitioner and if it is delayed, it is open to the petitioner to approach the Court for conclusion of disciplinary proceedings at the earliest.

8.With the above direction, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The Deputy Director of Health Services,
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police,
Vigilance and Anti-Corruption,
Thoothukudi,
Thoothukudi District.

+1 CC to M/s.GP (SR-23880[F] dated 26/07/2021)

W.P(MD)No.3770 of 2019
23.07.2021

TP(CO)
LR (04.08.2021) 3P 4C