



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 28529 of 2021

Kalaiselvi

..Petitioner

Vs.

1.The Director,
Directorate of Public Health and
Preventive Medicine Department
No. 359, Anna Salai,
Chennai-600006.

2.The Deputy Director,
Medical and Rural Health Services and
Family Welfare Department,
Thiruvallur,
Thiruvallur District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 &2 to complete the departmental enquiry in G.O Proceedings No. 3711/E4/2008, dated 08.03.2018 immediately by fixing a time frame and pass such further or orders.

For Petitioners : Mr.R.Sreerangan

For Respondents : Mr.V.Manoharan, AGP

ORDER

The prayer sought for in the writ petition is to direct the respondents 1 &2 to complete the departmental enquiry in Proceedings No. 3711/E4/2008, dated 08.03.2018 immediately by fixing a time frame and pass such further or orders.

2. Heard both sides and perused the materials available on record.

3. According to the learned counsel for the petitioner, the petitioner while working as Village Health Nurse, based on a compliant made by one Ansar Bhasha, the petitioner was arrested on 25.09.2008 for the offences under Section 13(2) r/w 13(1)(d)



of Prevention of Corruption Act 1988. The aforesaid case was taken up on file in Spl.C.C.No.5 of 2019 before the Special Court, Tiruvallur and after trial, the aforesaid case was ended in acquittal by judgment dated 06.08.2016. During pendency of the said criminal case, charges were framed by the department under 17(b) of Tamil Nadu Civil Services (Discipline & Appeal Rules) and initiated departmental enquiry vide G.O Proceedings No. 3711/E4/2008, dated 08.03.2018. The said enquiry was concluded by examining witnesses and marking documents except the investigation officer, therefore the said proceedings are kept pending from the year 2018 onwards. Hence the present writ petition.

4. The learned Additional Government Pleader appearing for respondents has submitted that the said proceedings will be concluded by the 2nd respondent, within a time frame as fixed by this Court.

5. In view of the submissions made by the learned counsel appearing for the respective parties and considering the limited scope of prayer sought for by the petitioner, it would be appropriate for this Court to issue directions to the respondent to conclude the departmental proceedings within a stipulated time.

6. Accordingly, the 2nd respondent is directed to conclude the departmental proceedings initiated against the petitioner on its own merits and in accordance with law, as expeditiously as possible within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

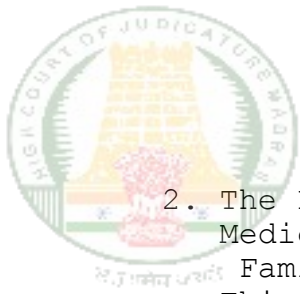
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Sub Assistant Registrar

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To

1. The Director,
Directorate of Public Health and
Preventive Medicine Department
No. 359, Anna Salai,
Chennai-600006.



2. The Deputy Director,
Medical and Rural Health Services and
Family Welfare Department,
Thiruvallur,
Thiruvallur District.

+2cc to Mr.R.Sreerangan, Advocate, S.R.No.23193
+1cc to the Special Government Pleader, S.R.No.23038

W.P.No. 28529 of 2021

SKM(CO)
CT 12/05/2022