



W.P.(MD)Nos.5914 of 2021 and 388 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.5914 of 2021 and 388 of 2022

and

W.M.P.(MD)Nos.4629, 4631, 4633 of 2021 and 297 of 2022

M.Nagapandi

... Petitioner
in both W.Ps'

Vs.

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Director of Health Services,
Vivekanadar Street,
Kenikarai,
Ramanathapuram.
3. The Block Medical Officer,
Government Primary Health Centre,
Uchipuli,
Ramanathapuram District.

... Respondents 1 to 3
in W.P.(MD)No.5914 of 2021
... Respondents 2 and 3
in W.P.(MD)No.388 of 2022



W.P.(MD)Nos.5914 of 2021 and 388 of 2022

PRAYER in W.P.(MD)No.5914 of 2021 : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent vide Na.Ka.No.397/A1/2019 dated 31.07.2019 and quash the same as illegal and devoid of merits and direct the respondents 2 and 3 to pay salary for the petitioner's discharged duty as a Driver of emergency drop back facility vehicle under "JANANI SHISHU SURAKSHA KARYAKRAM (JSSK) SCHEME" under the control of the third respondent Block Medical Officer from the month of July, 2019 to January, 2021.

PRAYER in W.P.(MD)No.388 of 2022 : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records on the file of the second respondent vide proceedings in Na.Ka.No.258/A2/2021 dated 27.12.2021 and quash the same as illegal and devoid of merits.

For Petitioner
in all W.Ps' : Mr.Raja Karthikeyan

For Respondents
in all W.Ps' : Mr.R.Baskaran
Additional Advocate General
Asst. by Mr.G.V.Vairam Santhosh
Additional Government Pleader



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COMMON ORDER

The learned counsel appearing for the petitioner would submit that the petitioner filed Writ Petition in W.P.(MD)No.5914 of 2021, challenging the impugned order dated 31.07.2019, in and by which, a condition has been imposed to the effect that he will be paid salary for the days of employment alone and subsequently, filed another Writ Petition in W.P.(MD)No.388 of 2022, challenging the termination order dated 27.12.2021 issued by the second respondent.

2. However, learned counsel would further submit that this Court without interfering with the orders impugned in these Writ Petitions, grants liberty to the petitioner to make a fresh application for engagement of Driver under "JANANI SHISHU SURAKSHA KARYAKRAM (JSSK) SCHEME" with apology letter before the Competent Authority.

3. Accordingly, these Writ Petitions are dismissed with liberty to the petitioner to make a fresh application for engagement of Driver post



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under the said scheme before the Competent Authority. If the Competent Authority is satisfied with the conduct of the petitioner, shall consider the application of the petitioner and pass orders in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

06.12.2022
(2/2)

Index : Yes / No

Speaking Order : Yes / No

vji

To

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**06.12.202
(2/2)**