



W.P(MD)No.27151 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27151 of 2022

Balamurugan

... Petitioner

Vs.

1.The Joint Director of Health Services,
Sivagangai District,
Sivagangai.

2.The Joint Director of Health Services,
Madurai at Usilampatty,
Madurai District.

3.The Chief Medical Officer,
Government Hospital,
Manamadurai,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of of Mandamus, directing the 1st respondent to drop the charge memo against him passed by them in Na.Ka.No.1052/Ci.Ka/2022 dated 14.07.2022 based on his detail reply dated 16.08.2022 on merits within a period stipulated time by this Court.



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For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner is working as Senior Assistant Surgeon. He has been issued with a charge memo dated 14.07.2022. The petitioner has given a detailed reply on 16.08.2022. The petitioner wants the authorities to drop the charge memo based on his explanation. At the admission stage, it is not possible for this Court to grant the said relief. The learned counsel for the petitioner on instructions states that the petitioner will be satisfied, if the proposed enquiry is concluded within a reasonable time. The said request in my view is reasonable. When enquiry is indefinitely kept pending, it would definitely affect his promotional chances. Therefore, the first respondent is directed to conclude the enquiry and pass final order on the petition mentioned charge memo on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. The petitioner is at liberty to raise all his contentions before the disciplinary authority.



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3.The writ petition is disposed of accordingly. No costs.

30.11.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 01.12.2022.

To:-

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Sivagangai District,
Sivagangai.

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Madurai at Usilampatty,
Madurai District.

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G.R.SWAMINATHAN, J.

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