



W.P.No.34797 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.34797 of 2012

V.Nagarajan
Administrative Officer (Retired)
O/o.The Deputy Director of Public Health Services,
No.6/43-A, Gandhi Nagar,
Coimbatore – 641 029.

... Petitioner

..Vs..

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2. The Director of Public Health and
Preventive Medicine,
D.M.S.Compound, Chennai – 6.

...Respondents

Prayer:– Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass appropriate orders on the representation of the petitioner dated 30.11.2012 in the light of the orders of the Full Bench Judgment of this Court in V.Rani Vs.Deputy Inspector General of Police, Tanjore.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader



W.P.No.34797 of 2012

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ORDER

This Writ Petition has been filed for Writ of Mandamus directing the 1st respondent to pass appropriate orders on the representation of the petitioner dated 30.11.2012 in the light of the orders of the Full Bench judgment of this Court in V.Rani Vs.Deputy Inspector General of Police, Tanjore.

2. Counter filed.

3. As per the counter on the date of consideration and also preparation of panel charge under Section 17(b) of Tamil Nadu Civil Services (Discipline & Appeal) Rules was pending against the petitioner. On the date of the approval of the petitioner for the post of Administrative Officer at office of the Deputy Director of Health Services, Coimbatore, the second respondent i.e., the Director of Public Health and Preventive Medicine has framed charges under rule 17(b) of Tamil Nadu Civil Service (Discipline & Appeal) Rules against the petitioner. Subsequently, the second respondent in Procs.R.No.0126801/DA/11/S2-(2), dated 19.11.2012 has imposed a punishment of 'Censure' on the petitioner for the charges framed. Thereafter, he has also retired and further stated that for the above said position he was not considered as 17-b charges are pending.



W.P.No.34797 of 2012

WEB COPY

4. Without going to the merits of the case, I find that the petition may be considered in the light of the settled preposition of law and the respondent is directed to dispose of the case within a period of 12 weeks from the date of receipt of a copy of this order. It is open to the petitioner to agitate is right if he be so advised.

5. Accordingly, this Writ Petition is disposed of. No costs.

01.08.2023

nvi

Index:Yes/No

Neutral Citation : Yes/No

To

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Director of Public Health and
Preventive Medicine,
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W.P.No.34797 of 2012

RMT.TEEKAA RAMAN,J.,

nvi

W.P.No.34797 of 2012

01.08.2023