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W.P.No.10967 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

AND

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.10967 of 2023

AND

W.M.P.Nos.10865 & 10867 of 2023

K.Dhamodharan

.. Petitioner

Vs.

1.The Central Administrative Tribunal
Chennai Bench
Rep. by its Registrar
Additional City Civil Court Building
High Court Campus
Chennai 600 104

2.The Director General
Indian Council of Medical Research (ICMR)
Department of Health Research
(Ministry of Family Welfare)
V.Ramalingaswami Bhawan
PO Box No.4911, Ansari Nagar
New Delhi 110 029



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3.The Administrative Officer (Admin)
ECD-I Department
Indian Council of Medical Research (ICMR)
Department of Health Research
(Ministry of Family Welfare)
V.Ramalingaswami Bhawan
PO Box No.4911, Ansari Nagar
New Delhi 110 029

4.The Director
National Institute for Research in Tuberculosis-ICMR
No.1, Mayor Sathyamoorthy Road
Chetpet, Chennai 600 031

5.Dr.G.Prathiksha
Chairperson
Internal Complaints Committee
National Institute for Research in Tuberculosis-ICMR
No.1, Mayor Sathyamoorthy Road
Chetpet, Chennai 600 031

6.The Head of the Department of Epidemiology
ICMR-NIRT, Thiruvallur

7.The Director
NIRTH-ICMR
NIRTH Complex
Nagpur Road P.O.-Garha
Jabalpur 482 003
Madhya Pradesh

8.The Administrative Officer
ICMR-National Institute for Research in Tuberculosis
No.1, Mayor Sathyamoorthy Road
Chetpet, Chennai 600 031

.. Respondents



W.P.No.10967 of 2023

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records in connection with an impugned order passed by the 1st respondent Tribunal in O.A.No.851 of 2022 dated 14.02.2023 and the order passed by the 3rd respondent in ref No.NIRT/MISC/2018-ECD-1 dated 04.07.2022 and quash the same, consequently direct the 2nd respondent to permit the petitioner to continue in ICMR NIRT-Tiruvallur Unit.

For Petitioner : Mr.D.Muthukumar
for M/s.Paul and Paul
For R2 to R8 : Mr.K.Srinivasa Murthy
Standing Counsel

ORDER

(Order of the Court was made by V.M.VELUMANI, J.)

This writ petition has been filed to quash the impugned order passed by the 1st respondent Tribunal in O.A.No.851 of 2022 dated 14.02.2023 and for a direction to the 2nd respondent to permit the petitioner to continue in ICMR NIRT-Tiruvallur Unit.

2. Heard Mr.D.Muthukumar, learned counsel appearing for the petitioner as well as Mr.K.Srinivasa Murthy, learned Standing Counsel appearing for the respondents 2 to 8 and perused the entire materials on record.



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3. Learned counsel appearing for the petitioner submitted that as per the order of the Tribunal, the petitioner has given a representation to the 3rd respondent to post him in the nearby State, instead of Jabalpur.

4. Learned counsel appearing for the respondents/ICMR submitted that the representation of the petitioner was considered and by an order dated 17.04.2023, the petitioner was permitted to join duty in Bengaluru. He also produced a copy of the said order dated 17.04.2023.

5. Learned counsel appearing for the petitioner submitted that the petitioner will join duty in ICMR-NCDIR, Bengaluru, within 15 days from today.

Recording the above submissions of the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents/ICMR, this writ petition is closed. No costs. Connected miscellaneous petitions are closed.

(V.M.V.,J.) (V.L.N.,J.)
27.04.2023

Index : Yes/No

Neutral citation : Yes/No

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Issue order copy by 28.4.2023



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To

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Central Administrative Tribunal

Chennai Bench

Additional City Civil Court Building

High Court Campus, Chennai 600 104

2.The Director General

Indian Council of Medical Research (ICMR)

Department of Health Research

(Ministry of Family Welfare)

V.Ramalingaswami Bhawan, PO Box No.4911, Ansari Nagar

New Delhi 110 029

3.The Administrative Officer (Admin)

ECD-I Department

Indian Council of Medical Research (ICMR)

Department of Health Research

(Ministry of Family Welfare)

V.Ramalingaswami Bhawan, PO Box No.4911, Ansari Nagar

New Delhi 110 029

4.The Director

National Institute for Research in Tuberculosis-ICMR

No.1, Mayor Sathyamoorthy Road, Chetpet, Chennai 600 031

5.Dr.G.Prathiksha

Chairperson

Internal Complaints Committee

National Institute for Research in Tuberculosis-ICMR

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6.The Head of the Department of Epidemiology

ICMR-NIRT, Thiruvallur



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