



W.P.No.25496 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. B.BALAJI

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Dr.V.V.Sairam Babu

... Petitioner

Vs.

1. Union of India,
rep. by the under Secretary to Government,
Ministry of Health and Family Welfare,
Nirman Bhavan, New Delhi.

2. The Director,
Central Leprosy Teaching Institute,
Chengalpattu 603 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the Central Administrative Tribunal to take up O.A.No.1269/2018 on the file of Central Administrative Tribunal at Madras to decide the case with the time frame fixed by this Court.



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For Petitioner : Mr.M.Ganesan
For Respondents : Mr.R.Sidharth,
Central Government Senior Counsel
ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

This writ petition has been filed to direct the Central Administrative Tribunal at Madras to take up O.A.No.1269/2018 on its file to decide the case within a time frame, as fixed by this Court.

2. The contention of the petitioner is that, while he was discharging his duties as Port & Airport Health Officer, Chennai, a false complaint was made against him on 19.12.2008 with the Central Bureau of Investigation, Chennai, as if he had demanded bribe. In that case, after departmental enquiry and obtaining the report of the enquiry officer, the under Secretary, Ministry of Health and Family Welfare had imposed penalty of compulsory retirement from service, vide order dated 14.10.2013, Challenging the same, the petitioner has preferred an appeal before the Central Administrative Tribunal, Chennai Bench in O.A.No.1716/2014 and to reinstate the petitioner into service. In the above application, the petitioner had



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submitted the FIR closure order copy to the Ministry through his counsel, however, it was suppressed by the CBI officials, without informing the same to the Court. Thereafter, as per the direction made by the Tribunal in O.A.No.1716/2014, dated 28.11.2017, the petitioner has made a fresh representation on 28.11.2017 along with all the copies of the orders along with FIR closure report. However the disciplinary authorities have once again reimposed the penalty of compulsory reitirement, vide order dated 21.08.2018. Therefore, he filed O.A.No.1269/2018 before the Tribunal to quash the above order and to reinstate him into service with all service and monetary benefits, including backwages.

3. In the above said O.A.1269/2018, the respondents have filed counter affidavit. However, for the past five years, the case was posted for final hearing and finally it was posted to 10.10.2023. According to the petitioner, already he crossed the age of 65 years and without passing any orders, the Tribunal has posted the matter for final hearing. Further, for the past 14 years, the petitioner had lost his carrier, profession and is living without any income. Hence he seeks for direction to the Tribunal for early



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disposal of the above O.A.1269/2018.

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4. Mr.R.Sidharth, learned Central Government Senior Counsel takes notice for the respondents.

5. By consent of both the parties and also by considering the limited scope of prayer, we inclined to dispose the writ petition, without expressing any opinion on merits. Accordingly, the Central Administrative Tribunal, Madras Bench is directed to dispose the O.A.No.1269/2018, within twelve weeks from the date of receipt of a copy of this order, in accordance with law.

6. With the above direction, this writ petition is disposed of. No costs.

(D.K.K.J.)

(P.B.B.J.)

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Internet: Yes/No
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To
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1. The Central Administrative Tribunal,
Chennai Bench.
2. The under Secretary to Government,
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3. The Director,
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