



W.P.(MD)No.12630 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.12630 of 2020
W.M.P(MD).No.10763 of 2020

K.S.Subha Karuthukhan

... Petitioner

Vs.

1.The Executive Secretary of District Health Society/
Deputy Director of Health Services,
Ramanathapuram District.

2.The Deputy Director of Health Services,
Paramakudi,
Ramanathapuram District.

3.The Block Medical Officer,
Government Upgraded Primary Health Center,
Bogaloor,
Ramanathapuram District.

4.P.Ranjith

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to allow the petitioner to join duty to the respondent No.3 hospital in the light of



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the order passed in W.P(MD).No.248 of 2018 dated 01.02.2018.

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For Petitioner : Mr.K.R.Laxman
For Respondents : Mr.G.V.Vairom Santhosh
Additional Government Pleader
for R1 to R3
Mr.S.C.Herold Singh for R4

ORDER

This writ petition has been filed for a direction to the 2nd respondent to allow the petitioner to join duty in the respondent No.3 hospital in the light of the order passed in W.P(MD).No.248 of 2018 dated 01.02.2018.

2. The case of the petitioner is that he was appointed as Dental Assistant in the Government Upgraded Primary Health Center, Bogaloor, Ramanathapuram District on hiring basis for one year from 28.01.2013. He was not in a position to attend duty from 06.12.2016 due to a false complaint given by his first wife. While so, without considering the real position, the second respondent issued a proceeding on 13.07.2017



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dismissing the petitioner from service. Challenging the same, the petitioner has filed a writ petition before this Court in W.P(MD).No.248 of 2018 and this Court allowed the writ petition on 01.02.2018 by issuing a direction to the respondents to reinstate the petitioner into service. However, till date, the said order was not implemented. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that as against the order passed by this Court in W.P(MD).No.248 of 2018, the respondents have preferred an appeal in W.A.(MD).No.182 of 2020 which is pending before the Hon'ble Division Bench of this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the respondent No.4.

5. In view of the submission made by the learned counsel appearing for the petitioner, liberty is granted to the petitioner to work



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out his remedy after the disposal of the writ appeal filed by the respondents before this Court.

6. Accordingly, this Writ Petition is dismissed. No costs.
Connected miscellaneous petition is closed.

20.01.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1.The Executive Secretary of District Health Society/
Deputy Director of Health Services,
Ramanathapuram District.

2.The Deputy Director of Health Services,
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3.The Block Medical Officer,
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M.DHANDAPANI,J.

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