



W.P.(MD)No.14016 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14016 of 2023

K.Patchaiyan

... Petitioner

Vs.

The Director of Medical Education
and Research Centre,
O/o. Directorate of Medical Education
and Research Centre,
Kilpauk, Chennai – 600 010.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the respondent relating to the charge memo dated 25.05.2023 in Na.Ka.No.57002/SiMaP1/3/2022 and quash the same as illegal and arbitrary.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.N.Satheesh Kumar,
Addl. Government Pleader.



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ORDER

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Heard the learned counsel on either side.

2.The petitioner has reached the age of superannuation. He was holding the post of Administrative Officer in Government Head Quarters Hospital, Trichy. Virtually on the eve of his retirement, he has been served with the impugned charge memo. The petitioner has raised a host of grounds to demonstrate that the charge memo is not maintainable. Since they are factual in nature, I am not in a position to consider the same. However some kind of relief must be given to the petitioner. The respondents having chosen to serve the charge memo on the petitioner belatedly, ought to conclude the same as expeditiously as possible. The petitioner has offered his explanation. The respondents shall consider the said explanation. If the explanation is not found satisfactory, an enquiry officer shall be appointed. If warranted, it shall be made within a period of three weeks from the date of receipt of a copy of this order. The enquiry officer will conclude the enquiry within a period of eight weeks thereafter. One does not know what will be the outcome of the enquiry. Whichever way it may go, final order on merits and in accordance with



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law shall be passed within a period of four months from the date of receipt of a copy of this order. Such a direction has to be given in this case since the petitioner has already reached the age of superannuation and his retirement benefits are being withheld. I make it clear that I have not gone into the merits of the matter. All the contentions and defences of the petitioner are left open.

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

15.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:-

The Director of Medical Education
and Research Centre,
O/o. Directorate of Medical Education
and Research Centre,
Kilpauk, Chennai – 600 010.



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G.R.SWAMINATHAN,J.

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