



W.P.(MD)No.7976 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.7976 of 2016

and

W.M.P(MD)No. 6526 of 2016

Dr.Ramalakshmi

... Petitioner

Vs.

The Commissioner,
The Director of India Medicine and Homeopathic,
Chennai – 106.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records of the impugned order of the respondent in Prod.No.574/E2/1/2012, dated 24.02.2012 and quash the same and consequently direct the respondent to reinstate the petitioner back into service.

For Petitioner : Mr.N.Dilip Kumar

For Respondent : Mr.N.Muthu Vijayan
Special Government Pleader



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ORDER

This writ petition has been filed challenging the suspension order, dated 24.02.2012.

2. The petitioner was appointed as Medical Officer on 11.10.1989. Subsequently, a criminal case was registered by the Special CBI Anti Corruption Branch, Chennai, against one G.Balasubramanian, the Chief Manager of Indian Overseas Bank, Palayamkottai Branch. The petitioner was shown as accused No.13. In the criminal case, the petitioner was convicted. Subsequently, against the said conviction the petitioner has preferred an appeal and the same is pending before this Court. Since this writ petition has been filed challenging suspension order only, this Court is not inclined to entertain this writ petition.

3. The learned counsel appearing for the petitioner submitted, during the suspension period the respondents have paid subsistence allowance to the tune of 50% only. The petitioner has filed a separate writ petition for enhancing the subsistence allowance. Since the petitioner was convicted in the criminal case the respondents have passed dismissal order and the petitioner was dismissed



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from service. The petitioner has challenged the same. At the juncture, the learned counsel seeking permission to withdraw this petition with liberty to contest the issue after the outcome of the criminal proceedings.

4. Considering the submissions made by the learned counsel appearing for the petitioner, this Writ petition is dismissed as withdrawn. Liberty is granted to the petitioner to contest the issue, after the outcome of the criminal proceedings. Consequently, connected miscellaneous petition is closed. No Costs.

Index : Yes / No
Internet : Yes
ksa

08.02.2023

To

The Commissioner,
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Chennai – 106



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S.SRIMATHY, J

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**Order made in
W.P.(MD)No.7976 of 2016**

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