



W.P.No.23374 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2024

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 23374 of 2015

&

M.P.No. 1 of 2015

A. Ramasamy

... Petitioner

V.s

1.The Government of Tamil Nadu,
Rep. By Secretary to Government
Health and Family Welfare (1-2) Department,
Fort.St.George,
Chennai-600 010.

2.The Director of Medical Education,
Kilpauk,
Chennai – 600 010

3.The Dean,
Govt.Mohan Kumaramangalam
Medical College Hospital,
Salem – 30.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus calling for the record relating to the order dated 22.04.2015 made in G.O (D) 524 Health and Family Welfare (1-2) Department passed by the first respondent herein, quash the same and direct the first respondent to restore all terminal benefits to the petitioner.

For Petitioner : Mr. S.Senthilnathan
For Respondents : Mr. E.Sundaram
Government Advocate

ORDER

The above Writ Petition has been filed challenging the order of dismissal passed against the petitioner.



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2. Today, the Government Advocate has produced

G.O.(D).No.1034 dated 17.09.2021, where it is stated as follows:

“10 The Government examined the case with the connected records relating to the charge framed against Thiru.A.Ramasamy, formerly Administrative Officer, Government Mohan Kumaramangalam Medical College and Hospital, Salem with all the connected records. It has been established that the correspondence between the Dean of the Medical College and the Superintendent of Police regarding the fees for Medical examination and certificate and requesting the Government Orders for exemption clearly shows that absence of mense to make a pecuniary advantage on the part of the delinquent officers The Hon'ble High Court of Madras has considered the entire evidence on records and acquitted the individual beyond reasonable doubt not by giving benefit of doubt, it is considered that applying of preponderance oy probability is inconsistent in this case.



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11. The Government accordingly do and hereby order to set aside the penalty of “Dismissal from service” imposed on Thiru.A.Ramasamy, formerly Administrative Officer Government Mohan Kumaramangalam Medical College and Hospital, Salem vide Government Orders sixth read above consequent to the orders of the Hon'ble High Court of Madras in its order eighth read above and also to drop the charges framed against him in the simultaneous departmental proceedings initiated in the charge memo first read above.

3. In the light of the above, nothing survives for consideration in the Writ Petition. Accordingly, the Writ Petition is dismissed as infructuous. Consequently, the connected miscellaneous petition is closed. No costs.

04.07.2024

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
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To

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