



W.P.No.21109 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.21109 of 2024 and
WMP.No.23039 of 2024

R.Sumathy

... Petitioner

Vs.

1.The Principal Secretary to Government,
Government of Tamilnadu,
Health and Family Welfare Department,
Fort St.George, Chennai-9

2.The Director,
Public Health and Preventive Medicine,
Chennai-6

3.The District Health Officer,
Chengalpattu District,
Chengalpattu

4.The District Maternal Welfare Officer,
Office of the District Health Officer,
Chengalpattu District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the second and third respondents to consider the petitioner's representation dated 28.06.2024 and permit the petitioner to participate in the promotion counselling dated 25.07.2024.

For Petitioner : Mr.S.Packiaraj



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4. It is seen that the petitioner already filed writ petition before this Court in WP.No.24673 of 2022 challenging the charge memo dated 01.07.2022. This Court by order dated 19.01.2024, dismissed the writ petition and directed the disciplinary authority to complete the disciplinary proceedings and pass final order within a period of three months from the date of receipt of the order. Even till today, no order has been passed in the disciplinary proceedings.

5. On written instructions, the learned Special Counsel for Health Department appearing for the respondents submitted that enquiry has been completed and the disciplinary authority is about to pass final order.

6. Therefore, when the charge is pending as against the petitioner, the petitioner is not entitled for any promotion. As such, the representation submitted by the petitioner cannot be considered and the writ petition is liable to be dismissed.



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7. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

25.07.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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To

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- 2.The Director,
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- 3.The District Health Officer,
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Chengalpattu
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G.K.ILANTHIRAIYAN, J.

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