



WEB COPY



W.P.No.21405 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM:

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

W.P.No.21405 of 2024
and W.M.P.No.23361 of 2024

P.Manikandan

... Petitioner

-Vs-

1. The Secretary to Government,
Department of Health and Family Welfare,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 104.

2. The Director,
Directorate of Medical Education,
162, EVR Salai,
Kilpauk, Chennai 600010.

3. The Dean,
Government Mohan Kumaramangalam
Medical College Hospital,
Salem,
Salem District – 600 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 21.03.2024.

For Petitioner : Mr.B.Kannan

For Respondents : Mr.M.Bindran

Additional Government Pleader

ORDER



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This writ petition has been filed for direction directing the third respondent to consider the petitioner's representation dated 21.03.2024.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner's father was working as Sanitary Worker in Government Mohan Kumaramangalam Medical College Hospital, Salem. While he was working, died on 19.01.2023. However, a perusal of records revealed that while he was in service, he was arrested and remanded to judicial custody, in pursuant to the registration of FIR in Crime No.1675 of 2012, in a case of child traffic. Therefore, he was placed under suspension and he was paid subsistence allowance. However, FIR has been quashed by this Court in CrI.O.P.No.7920 of 2022.

4. Though the petitioner was permitted to join duty as directed by this Court in W.P.No.10577 of 2014, no record has been produced before this Court to show that the petitioner had joined duty after his suspension. While being so, the petitioner's father died on 19.01.2023.

5. Considering the above facts and circumstances of the case, the



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respondents are directed to consider the representation submitted by the petitioner dated 21.03.2024 seeking appointment on compassionate ground, on the demise of his father, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that the respondents are directed to verify the certificates and records of the petitioner's father, whether any disciplinary proceedings initiated against him.

6. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

01.08.2024

Internet: Yes
Index : Yes/No
Neutral Citation:Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Secretary to Government,
Department of Health and Family Welfare,
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Fort St.George, Chennai – 600 104.
2. The Director,
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