



WEB COPY

W.P.No.28132 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.28132 of 2021

and

W.M.P.No.29729 of 2021

K.Magesh

... Petitioner

Vs.

1. The Registrar, Tamil Nadu Medical Council,
New No.914, Poonamallee High Road,
Arumbakkam, Chennai.

2. The Member of Council & Chairman,
Board of Inquiry,
Tamil Nadu Medical Council,
New No.914, Poonamallee High Road,
Arumbakkam, Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned enquiry report of the 2nd respondent dated 10.12.2021 and the consequential impugned communication of the 1st respondent dated 13.12.2021 made in Reference No.TNMC/T.No.24/2021, quash the same and this Hon'ble Court may be pleased to appoint any independent members for the board of inquiry to inquire into the charges framed against the petitioner and pass such further or other suitable orders as this Hon'ble Court may deem



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For Petitioner : Mr.D.R.Arun Kumar

For Respondents : Mr.G.Sankaran

COMMON ORDER

This Writ Petition has been filed seeking a writ of certiorari to call for the records pertaining to the impugned enquiry report of the 2nd respondent dated 10.12.2021 and the consequential communication of the 1st respondent dated 13.12.2021 and to quash the same.

2. Though an application is filed seeking interim injunction, no such interim order was passed. On the other hand, this Court by an order dated 29.12.2021, practically permitted the enquiry proceedings to go on by complying with the principles of natural justice.

3. Today, when the matter is taken up for consideration, it is brought to the notice of this Court by Mr.G.Sankaran, learned counsel appearing for the respondents that the enquiry in question was already concluded and final order has been passed as early as on 20.01.2022 and aggrieved by the said



final order, the petitioner herein has already filed W.P.No.11959 of 2022 before this Court and the same is pending for consideration.

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4. In the circumstances, in the considered view of this Court, the cause in the Writ Petition does not survive and accordingly, the same is closed leaving it open to the petitioner to contend all the grounds that are raised in this Writ Petition in W.P.No.11959 of 2022. No costs. Connected Miscellaneous Petitions, if any shall stand closed.

05.06.2024

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The Registrar, Tamil Nadu Medical Council,
New No.914, Poonamallee High Road,
Arumbakkam, Chennai.
2. The Member of Council & Chairman,
Board of Inquiry,
Tamil Nadu Medical Council,
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MUMMINENI SUDHEER KUMAR, J.

skr

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