



WEB COPY



W.P.No.32041 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32041 of 2024

S.Babu

.. Petitioner

Vs.

1.State rep. by

The Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Secretariat,
Chennai – 600 106.

2.The Tamil Nadu Homeopathy Medical Council,

Rep. by its Registrar,
Arignar Anna Government Hospital,
Indian Medicine Campus,
Arumbakkam, Chennai – 600 106.

3.The President,

Tamil Nadu Homeopathy Medical Council,
Arignar Anna Government Hospital,
Indian Medicine Campus,
Arumbakkam, Chennai – 600 106.

4.The Executive Committee,

Tamil Nadu Homeopathy Medical Council,
Arignar Anna Government Hospital,
Indian Medicine Campus,
Arumbakkam, Chennai – 600 106.

.. Respondents



W.P.No.32041 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to dispose the appeal dated 27.06.2024 and 27.08.2024 against the order of dismissal from service in Proceedings No.58 dated 19.04.2021 on the file of the 3rd respondent.

For Petitioner	:	Mr.P.Rajavelayutham
For R1	:	Mr.M.Bindran Additional Government Pleader
For RR 2 to 4	:	Mr.J.Saravanavel Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 4th respondent to dispose of the appeal filed by the petitioner dated 27.06.2024 and 27.08.2024 within a time frame fixed by this Court.

2.Heard the learned counsel for the petitioner, learned Additional Government Pleader for the 1st respondent and the learned Standing Counsel for the respondents 2 to 4.

3.The case of the petitioner is that he was placed under suspension by the 2nd respondent on the complaint received in the year 2015. The



same resulted in disciplinary proceedings against the petitioner and the 3rd respondent through proceedings dated 19.04.2021, imposed the punishment of removal from service.

4.The petitioner filed W.P.No.12732 of 2021 against the order of removal. This Court disposed of the said writ petition by an order dated 22.02.2024 and directed the petitioner to file an appeal before the appropriate authority.

5.Pursuant to the above order, the petitioner filed an appeal and the same is pending before the 4th respondent. Since, no action has been taken on the appeal, the present writ petition has been filed before this Court.

6.Taking into consideration the facts and circumstances of the case and also the nature of grievance expressed by the petitioner, there shall be a direction to the 4th respondent to deal with the appeal filed by the petitioner on its own merits and in accordance with law and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order.



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7.In the result, this Writ Petition is disposed of with the above directions. No costs.

28.10.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.State rep. by
The Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Secretariat, Chennai – 600 106.
- 2.The Tamil Nadu Homeopathy Medical Council,
Rep. by its Registrar,
Arignar Anna Government Hospital,
Indian Medicine Campus,
Arumbakkam, Chennai – 600 106.
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N.ANAND VENKATESH, J.

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