



W.P.(MD).No.770 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.770 of 2024

S.Ramakrishnan

... Petitioner

Vs

1. The Project Director,
Tamil Nadu Health Systems Project (TNHSP),
Teynampet, Chennai.
2. The Joint Director of Health Services,
Department of Medical and Rural Health Services,
Thoothukudi, Thoothukudi District.
3. The Superintendent,
Government District Head Quarters Hospital,
Kovilpatti, Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direction to the Respondent No.2 to expedite and conclude the enquiry proceedings in Na.Ka.No. 3964 / N5/2022-2, dated 03.01.2023, which is pending before him within a stipulated time as prescribed by this Court and consequently direct him to gave an opportunity to the petitioner in the enquiry proceedings.



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For Petitioner : Mr. S.Saravanan

For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

The present writ petition has been filed seeking a direction to the Respondent No.2 to expedite and conclude the enquiry proceedings in Na.Ka.No. 3964 / N5/2022-2, dated 03.01.2023, which is pending before him within a stipulated time as prescribed by this Court and consequently, to direct him to give an opportunity to the petitioner in the enquiry proceedings.

2.By consent of both parties and considering the limited relief sought for by the petitioner, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Perused the materials on record.

4.(i).The petitioner's father was working as an Ambulance Driver in the Government District Head Quarters Hospital, Kovilpatti. He died on



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07.05.2018. The petitioner was appointed in the first respondent's hospital in the month of August, 2018 and he got a job in the third respondent's Hospital under Chief Minister's Comprehensive Health Insurance Scheme and temporarily appointed as a Multi-purpose medical staff.

(ii).On 19.04.2022, the third respondent terminated the petitioner without any basis by intimating the same to him through a phone call. Therefore, he gave a representation to the third respondent personally on 26.05.2022. Another representation was given by his mother to the first respondent on 27.05.2022. The first respondent directed the second respondent vide letter, dated 06.06.2022 to conduct an enquiry and submit a report to him. Though the enquiry was conducted by the second respondent at his office on 08.08.2022 for name sake and a statement was also received from the mother of the petitioner, the second respondent vide order, dated 18.08.2022 concluded the enquiry proceedings, in which, the second respondent confirmed the termination of the petitioner, which was done by the third respondent.

(iii).Again the petitioner's mother gave a request before the Ministry of Health and Family Welfare Department to conduct re-enquiry, for which, a letter, dated 22.09.2022 was issued to the first respondent. Based on that they have conducted re-enquiry on 12.01.2023, in which, both the



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petitioner and his mother received summons. So far, the said enquiry has not been completed by the authorities concerned. Hence, this writ petition came to be filed seeking a direction to the second respondent to expedite and conclude the enquiry.

5.The learned Government Advocate appearing for the respondents submitted that the second respondent would complete the said enquiry within a period of six weeks and send a report to the first respondent.

6.Recording the said submission, the second respondent is directed to conclude the enquiry proceedings Na.Ka.No. 3964 / N5/2022-2, dated 03.01.2023 and file an appropriate report to the first respondent, within a period of six (6) weeks from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

12.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

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