



WP(MD) No.5374 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.03.2024

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THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.5374 of 2021
and W.M.P.(MD)Nos.4295 & 15030 of 2021

K.V.Saravanan

... Petitioner

Vs.

1.The Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai-600 009.

2.The Director of Medical Education,
State of Tamil Nadu, Kilpauk,
Chennai-600 010.

3.The Dean,
Government Rajaji Hospital,
Madurai 625 020.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorari, to call for the records on the file of the 3rd respondent in connection with the impugned order passed by him in his proceedings Ref.No.3519/E4/1/2019 dated 05-03-2021 and quash the same as illegal.



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For Petitioner : Mr.D.Selvanagayam
For Respondents : Mr.V.Om.Prakash,
Government Advocate.

ORDER

The impugned order in this Writ petition came to be passed by the respondents, consequent upon the interim order passed by this Court in W.M.P.(MD)No.2691 of 2020 in W.P.(MD)No.3152 of 2020, dated 10.03.2020. Through the impugned order, the petitioner was reverted from the post of Laboratory Technician Grade-I to the post of Laboratory Technician Grade-II, by passing a single line order purported to be in compliance of the interim order passed by this Court in W.M.P.(MD)No. 2691 of 2020 in W.P.(MD)No.3152 of 2020, dated 10.03.2020. The petitioner was not put on notice, before passing the impugned order. On this ground alone, the impugned order is liable to be set aside. Further, the very basis for issuing the impugned order ie., the interim order passed in W.M.P.(MD)No.2691 of 2020 in W.P.(MD)No.3152 of 2020, dated 10.03.2020, has come to an end today, by passing a final order in W.P. (MD)No.3152 of 2020, dismissing the said writ petition.



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2. In the light of the above, the impugned order in this writ petition cannot be sustained and accordingly, the same is set aside.

3. This Writ Petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.03.2024

NCC : Yes/No

Index : Yes/No

vsm

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