



W.P.(MD)No.6177 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.6177 of 2024 &
W.M.P.(MD)No.5793 & 5795 of 2024

Dr.T.Antony Suresh Singh,
(Under Suspension),
S/o.Thomas,
Residential Medical Officer (i/c),
Government Ayurveda Medical
College and Hospital, Kottar, Nagercoil,
Kanyakumari District - 629 002.

... Petitioner

VS.

1.The Commissioner of Indian
Medicine and Homeopathy,
Arumbakkam, Chennai - 600 106.

2.The Principal,
Government Ayurveda Medical
College and Hospital, Kottar, Nagercoil,
Kanyakumari District - 629 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned suspension order passed by the first respondent in Proc.No.12537/E2/1/2023-1, dated 26.10.2023 and quash the same as illegal and consequently direct the first respondent to reinstate the petitioner within the time frame stipulated by this Court.



W.P.(MD)No.6177 of 2024

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For Petitioner : Mr.R.Karthic Rajan
For Respondents : Mr.J.Ashok,
Additional Government Pleader

ORDER

Heard Mr.R.Karthic Rajan, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.

2. This writ petition has been filed seeking for a writ of certiorarified mandamus to call for the records in Proc.No. 12537/E2/1/2023-1, dated 26.10.2023 on the file of the first respondent and quash the same and consequently direct the first respondent to reinstate the petitioner in service within the time frame fixed by this Court.

3. The petitioner has been kept under suspension continuously from 22.10.2023. It is needless to state that if the suspension order is not revised, that will only result in a situation where an employee continues to be out of service, but will be paid with subsistence allowance. Making



W.P.(MD)No.6177 of 2024

payments without service is a loss to the Government.

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4. In such circumstances, the petitioner is at liberty to file a representation afresh to the first respondent in this regard, if so advised, within a period of two weeks from the date of receipt of a copy of this order and thereafter, the first respondent shall consider the representation, if any given by the petitioner, on its own merits and in accordance with law within a period of four weeks from the date of receipt of the representation of the petitioner.

5. With the above directions, the writ petition is **disposed of**. No costs. Consequently, the connected Miscellaneous Petitions are closed.

01.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
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W.P.(MD)No.6177 of 2024

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W.P.(MD)No.6177 of 2024

R.N.MANJULA, J.

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W.P.(MD)No.6177 of 2024

01.04.2024