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IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10.02.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 4169 of 2025

D.Lenin Kumar

... Petitioner

..Vs..

1. The Director
Directorate of Medical and Rural Health Services,
DMS Complex 361, Anna Salai, Chennai – 600 006
2. The Joint Director
Medical and Rural Health Services
Krishnagiri.
3. The Medical Officer
Government Hospital
Hosur, Krishnagiri District.

...Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents 1 and 2 to revoke the order of suspension issued by the second respondent herein in Ref.No.1836/E2/2011, dated 30.03.2011, by considering the petitioner representation dated 10.04.2024.

For Petitioner

:: Mr. K.Sathish Kumar



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For Respondents

:: Mr. M.Bindran
Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the respondents to revoke the order of suspension issued by the second respondent on 30.03.2011. The petitioner had given a representation on 10.04.2024.

2. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner had joined service as Junior Assistant on 15.10.2001 and later his service was also regularised. There was an allegation of misappropriation of Government money at Government Hospital, Pochampalli, to an amount of Rs.10,60,246/- between the period 27.12.2006 and 23.12.2009. Thereafter, the petitioner was placed under suspension by an order dated 30.03.2011. Parallely the respondents also lodged a complaint against the petitioner and FIR in Crime No. 67 of 2012 was registered on 21.11.2012 by the District Crime Branch, Krishnagiri, for offences punishable under Sections 465, 468, 471, 420 of IPC and trial is pending before the learned Judicial Magistrate No.2, Krishnagiri. The Writ Petition has been filed complaining that the petitioner has been



placed continuous suspension from the year 2011 onwards.

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3. The learned counsel for the petitioner stated that two separate enquiry officers had been appointed and the second enquiry officer had completed the enquiry but had not passed final orders.

4. However on behalf of the respondents, it is contended that final orders had been passed on 10.10.2023 itself. The order has already been communicated to the petitioner.

5. A direction is given to the respondents to proceed further in accordance with the report of the enquiry officer and pass appropriate orders. Such order shall be passed within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of. No order as to costs.

10.02.2025

vsg
Index: Yes/No
Internet: Yes/No
Speaking / Non Speaking Order



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C.V.KARTHIKEYAN, J.,

vsg

To

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