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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Contempt Petition No.1007 of 2025
in W.P.No.23870 of 2024

Dr.K.Krishnaraj

..Petitioner

..Vs.

1.Tmt.Supriya Sahu
The Secretary to Government
Department of Health and Family Welfare
Secretariat, St. Fort Goerge
Chennai 600 009.

2.Dr.T.S.Selvavinayagam
The Director of Public Health and Preventive Medicine
No.64, 75, Main Road, Chokkalingam Nagar
Teynampet, Chennai 600 006.

..Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents under the Contempt of Courts Act, 1971 for their willful disobedience of the interim stay order passed by this Court in WMP No.26122 of 2024 in W.P.No.23870 of 2024, dated 14.08.2024.

For Petitioner : Mr.V.Balasubramani

For Respondents : Mr.M.Sneha
Special Counsel

**ORDER**

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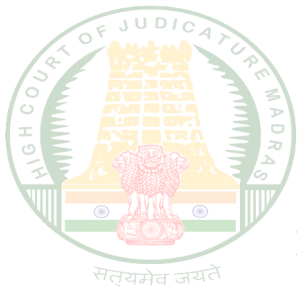
This contempt petition has been filed on the ground that the order passed in WMP No.26122 of 2024 in W.P.No.23870 of 2024, dated 14.08.2024, has not been complied with.

2.Pursuant to the earlier passed by this Court, an affidavit has been filed by the 1st respondent and the relevant portions are extracted hereunder:

10. I respectfully submit that, as per sub section 9 in Part A (II) in Schedule -XI under Section 7(1) of the said Tamil Nadu Government Servant (Conditions of Service) Act 2016 if the charge memo is merely stayed by the High Court, as in the case of the Writ Petitioner such cases shall be deferred till the judicial proceedings are concluded. The 1st respondent thereafter approved the regular panel for promotion to the post of Additional Director of Public Health and Preventive Medicine in Tamil Nadu Public Health Service for the year 2024-2025, by including the names of the following three Joint Director of Public Health and Preventive Medicine in the order preference noted against each vide G.O.(D) No.10, Health and Family Welfare (L2) Department, dated 08.01.2025.

Sl.No.	Name of the Joint Director of Public Health and Preventive Medicine	Order of Preference
1.	Dr.V.Vijayalakshmi	1
2.	Dr.R.nagarani	2
3.	Dr.J.Nirmalson	3

Further, the name of the petitioner has not been included in the panel for the post of Additional Director of Public Health and



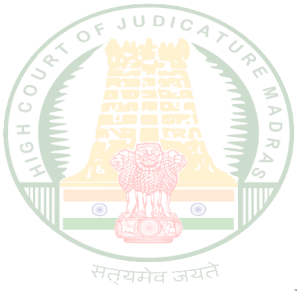
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Preventive Medicine for the year 2024-2025, since the disciplinary action initiated against him under rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules vide charge memo R.No.22771/DA/S1/2021 dated 27.07.2024 by the 2nd respondent is stayed by the Hon'ble Court and hence his name has been "DEFERRED" for inclusion in the said regular panel approved in G.O.(D) No.10 Health and Family Welfare (L2) Department, dated 08.01.2025, as per item No.(9) in Part-A(II) in schedule XI under Section 7(1) of the said Tamil Nadu Government Servants (Conditions of Service) Act, 2016. The same has been informed to the petitioner vide 1st respondent's letter No.867/L2/2024-4 dated:08.01.2025.

Subsequently, the Joint Directors of Public Health and Preventive Medicine in Sl.No.1 and 2 above have been promoted and posted as Additional Director of Public Health and Preventive Medicine vide G.O.(D) No.11, Health and Family Welfare (L2) Department dated: 08.01.2025 and assumed charge of the post as detailed below:-

Sl. No.	Name of the Joint Director of Public Health and Preventive Medicine	Place of posting on regular promotion as Additional Director of Public Health and Preventive Medicine	Date of assumed charge of the post of Additional Director of Public Health and Preventive Medicine
1.	Dr.V.Vijayalakshmi	Additional Director Public Preventive Health Medicine(Special of and Programme including UHC)	20.01.2025 Forenoon
2.	Dr.R.Nagarani	Additional Director (HR), Office of the Mission Director, National Health Mission, Chennai	20.01.2025 Afternoon



11. I respectfully submit that, as per rules in force the Joint Directors of Public Health and Preventive Medicine in Sl.No.1 and 2 above have been promoted and posted as Additional Director of Public Health and Preventive Medicine vide G.O.(D) No.11 Health and Family Welfare (L2) Department dated:08.01.2025 by the 1st respondent.

12. I respectfully submit that the name of the petitioner will be included after disposal of the charges and appropriate orders will be passed on merits either giving him promotion or appointment if he is exonerated or acquitted of the charges and if there is no other adverse factor to be reckoned or denying him promotion or appointment or giving promotion or appointment from a later date, depending upon the nature of punishment and other factors to be reckoned in other cases, as per item No. (19) Part-A (II) in Schedule XI under Section 7(1) of the said Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

3. Recording the stand taken by the 1st respondent, this contempt petition is closed.

23.04.2025

Index: Yes/No
Speaking Order/Non-Speaking Order
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2. Dr. T. S. Selvavinayagam

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N. ANAND VENKATESH, J.



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