



WEB COPY

W.A.No.1221 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.SURENDER**

W.A.No. 1221 of 2025
and CMP No.9296 of 2025

1. State of Tamil Nadu represented by
Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai 600 009.

2. The Director of Public Health and Preventive Medicine,
Chennai 600 006.

3. The Deputy Director of Public Health
and Preventive Medicine, Tirupur.

... Appellants

Vs.

Dr. Padmarajan
Senior Civil Surgeon (Retired)
No.2, Sardar Street, Udumalpet,
Tirupur District, Pincode-642 216.

... Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.24470 of 2012 dated 01.06.2023.



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For Appellants : Ms.Sneha, Special Counsel

For Respondent : Mr.N. Krishna Kumar

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

The State is on Appeal aggrieved by the order made in WP No.24470 of 2012 dated 01.06.2023, in and by which, the Writ Court had set aside the punishment of stoppage of increment with cumulative effect imposed on the respondent.

2. The charges against the respondent were that he had not arranged Duty Doctors to attend emergency in the Primary Health Centre which was headed by him on 25.10.2001, he was not staying in the official quarters which is in violation of Rule 20 of the Tamil Nadu Civil Government Servants Conduct Rules, he has been irregular in attending the Primary Health Centre and that he had disobeyed the orders of Superior Officer by failure to monitor the activities of the Primary Health Centre and the Subordinate Officers.

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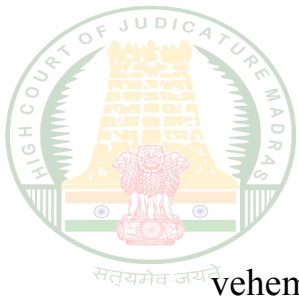


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3. An Enquiry Officer was appointed and he filed a report concluding that charges 1 to 3 were proved. The said Enquiry Report was accepted by the Disciplinary Authority and the punishment as aforesaid was imposed on the respondent. Aggrieved, the respondent filed an Appeal and the Appellate Authority disposed of the Appeal by a non speaking order, leading to the Writ petition.

4. The Writ Court had found that the Enquiry Officer's Report is slipshod and does not disclose consideration of any material. The Writ Court has also found that the Authorities are guilty of not furnishing the documents that were sought for by the delinquent official. On the said grounds, the Writ Court concluded that the punishment imposed was unjust. Hence this Appeal.

5. We have heard Ms.Sneha, learned Special Counsel appearing for the appellants.

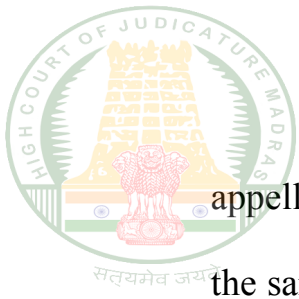


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6. The learned Special Counsel appearing for the appellants would vehemently contend that once it is found that the respondent has not arranged for Duty Doctor to be present in the Primary Health Centre in case of emergency, as the head of the Primary Health Centre, he is liable for punishment. On the second charge, it is the contention of the learned Special counsel for the appellants that the delinquent viz, the respondent has admitted that he was staying away from the official quarters under family circumstances.

7. The Writ Court has considered the above contention and held that admittedly the quarters attached to the Primary Health Centre was in a dilapidated condition. Therefore, no person could be expected to occupy a quarters which was in dilapidated condition and punishment cannot be inflicted for not occupying the said quarters. Even on the other charge, the specific request of the delinquent for documents has not been complied with, therefore, considerable prejudice has been caused by the delinquent in the course of the domestic enquiry.

8. On our direction, the learned Special Counsel appearing for the



appellants has produced the Enquiry Officer's Report, we have gone through the same. We find that it is wholly laconic and does not contain any reason. No evidence has been considered and the Enquiry Report itself is only a summary of the charges and the conclusion of the officer.

9. Hence we see no reason to interfere with the order of the Writ Court. Therefore, the Writ Appeal fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

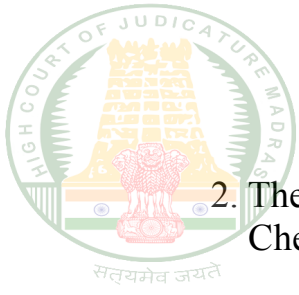
(R.SUBRAMANIAN, J.) (K.SURENDER, J.)
24.06.2025

jv

Internet : Yes
Index : No
Speaking order
Neutral Citation : No

To

1. The Secretary to Government,
Government of Tamil Nadu
Health and Family Welfare Department,
Secretariat, Chennai 600 009.



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2. The Director of Public Health and Preventive Medicine,
Chennai 600 006.

WEB COPY 3. The Deputy Director of Public Health
and Preventive Medicine, Tirupur.



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R.SUBRAMANIAN, J.
and
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