



WEB COPY



W.A.No.903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.903 of 2025

and

C.M.P.No.7600 of 2025

Chandran

... Appellant

Vs.

1.The Joint Director of Health Services,
The Nilgiris, Udhagamandalam.

2.The Chief Civil Surgeon,
Medical Officer, Government Hospital,
Gudalur, The Nilgiris.

3.The Chairman and Member of Committee,
Against sexual harassment,
For working women's Government Hospital,
Gudalur The Nilgiris.

4.The Chairperson of Ashwini Adivasi School of Nursing,
G2, G3 Kothervayal, Gudalur,
Tamil Nadu - 643 212.

5.Nishitha B

... Respondents



W.A.No.903 of 2023

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 19.07.2023 passed in W.P.No.21277 of 2023.

For Appellant : Mr.M.Velmurugan

For Respondents : Mr.U.M.Ravichandran,
Special Government Pleader for R1

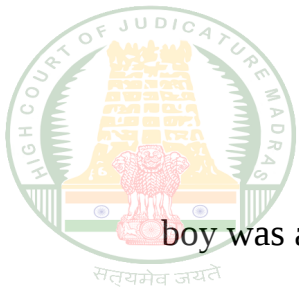
Mrs.M.Sneha, Special Counsel
for Health & Family Welfare Department
for R2

J U D G M E N T

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

Admittedly the petitioner was a daily wage temporary employee. He was accused of sexual harassment to a nursing intern and after conducting enquiry he was terminated from service on 13.08.2019. The petitioner challenged his termination only during 2023. It is the main contention of the learned counsel for the petitioner that the enquiry was not conducted in a free and fair manner.

2. The learned Single Judge rejected the contention on the ground that there was a delay of 4 years in approaching the Court and there is no explanation for the delay. The fact that the petitioner was a daily wage ward-



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boy was also taken into account by the writ Court.

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3. The learned counsel for the appellant would submit that the delay occurred due to the fact that he was not furnished with the proceedings and only after he got the documents by applying under the Right to Information Act he could file the appeal.

4. Be that as it may, admittedly the appellant is a daily wager and it is open to the Government to terminate his services at any time. The appellant has been accused of very grave charges. There is also a considerable delay in the appellant approaching this Court.

5. We find no reason to interfere with the order of the writ Court. Therefore, the Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (G.A.M.,J.)
28.03.2025

dsa

Index : No

Neutral Citation : No



Speaking order



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To

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R.SUBRAMANIAN, J.
and
G.ARUL MURUGAN, J.

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