



W.P.No.43278 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.43278 of 2025

and

W.M.P.No.48459 of 2025

A.Auxilia Aruna Devi

..... Petitioner

Vs

1.The Director of Medical and Rural Health Services,
Chennai – 6.

2.The Director of Medical Education,
Kilpauk, Chennai – 10.

3.The Dean,
Govt. Vellore Medical College and Hospital,
Vellore, Vellore District.

..... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 1st respondent in Na.Ka.No.152015/ Sepi1/ 2/2025 dated 25.09.2025 and quash and consequently direct the respondents to reinstate the petitioner in service as a Nurse in the 3rd respondent with continuity of service and all monitory and service benefits.

For Petitioner

: Mr.N.Manokaran

For Respondents

: Mr.M.Bindran

Additional Government Pleader



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ORDER

This Writ Petition has been filed challenging the order dated 25.09.2025 passed by the first respondent, thereby terminating the petitioner from service.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.The petitioner is qualified and eligible to be appointed as a Nurse. She was appointed by the first respondent as a Nurse on a contract basis on 07.11.2019 and joined duty on 17.11.2019 in the second respondent hospital. While being so, a complaint was lodged alleging that, while the petitioner was taking care of new born babies, she had caused injury to the thumb of a new born baby's right hand while removing the venflon needle. An enquiry was conducted and it was found that the said incident had occurred due to the petitioner's action. Therefore, the petitioner, being a contract employee, was terminated from service.

4.The only ground raised by the petitioner is that she was terminated from service without being served with any notice and without conducting a proper enquiry. Even though the petitioner was a contract employee, she was entitled to be served with a notice and to have an enquiry

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conducted before termination. Though a preliminary enquiry was conducted with regard to the incident, no enquiry was conducted before passing the impugned order of termination. On this sole ground, the order of termination cannot be sustained and is liable to be quashed.

5.In view of the above, the order dated 25.09.2025 passed by the first respondent, is hereby quashed. The matter is remitted back to the first respondent to conduct an enquiry, after giving an opportunity of hearing to the petitioner, and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.In the result, this Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Internet: Yes
Index : Yes/No
Lpp



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To
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- 1.The Director of Agriculture,
Department of Agriculture,
Chepauk,
Chennai-600 005.
- 2.The Joint Director of Agriculture,
Cherry Road, (Near) Thiruvalluvar Statue,
Salem-636 001.
- 3.The Deputy Registrar of Co-Operative Societies,
Agro Engineering Service,
Office of the Joint Director of Agriculture,
Salem-636 001.
- 4.The Agriculture Officer/Liquidator,
Kadayampatti,
S1725 Kadayampatty Agro Engineering
Service Co-Operative Center Limited,
Kadayampatty Taluk, Danishpet Post,
Salem District-636 354



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G.K.ILANTHIRAIYAN. J,

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