



W.P.(MD) No.6700 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.6700 of 2026

and

W.M.P.(MD) Nos.5533 & 5534 of 2026

T.M.Mukesh

... Petitioner

-vs-

- 1.The District Chairman /
District Collector
District Health Society
National Tuberculosis
Elimination Program
Kanyakumari District
- 2.The Joint Director
Medical and Rural
Health Services
Kanyakumari District
at Nagercoil
- 3.The Deputy Director of
Medical Services (TB)
District TB Centre
Asaripallam
Kanyakumari District



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4.The Enquiry Officer /
Deputy Director of
Medical Services (TB)
Usilampatti
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the proceedings of the 3rd respondent Ref.No.09/DHS-RNTCP/20 dated 15.05.2020, enquiry report of the 4th respondent in Na.Ka.No. 95/Ma.Ka.Mai/Madurai/2020 dated 11.09.2020 and the letter of the 2nd respondent in Na.Ka.No.4/Ne5/2022-3(2) dated 06.05.2022 and quash the same and consequently direct the respondents 1 and 2 to extend the service of the petitioner as DR-TB Coordinator on contract basis in the hospital of the 3rd respondent.

For Petitioner : Mr.Charles Kamalesh M.Appaji

For Respondents : Mr.B.Ramanathan
Additional Government Pleader



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ORDER

Challenging the proceedings bearing Ref.No.09/DHS-RNTCP/20, dated 15.05.2020, issued by the third respondent; enquiry report of the fourth respondent in Na.Ka.No.95/Ma.Ka.Mai/Madurai/2020 dated 11.09.2020 and the letter of the second respondent bearing Na.Ka.No.4/Ne5/2022-3(2), dated 06.05.2022, and also seeking a consequential direction to the respondents 1 & 2 to extend the service of the petitioner as DR-TB Coordinator on contract basis in the third respondent Hospital, the petitioner has filed the present writ petition.

2. It is the case of the petitioner that he was engaged on contract basis as DR-TB Coordinator *vide* agreement dated 18.03.2020 for a period of eleven months from 18.03.2020 to 17.02.2021. However, by the impugned order dated 15.05.2020, the services of the petitioner were temporarily terminated with effect from 15.05.2020, on the ground that there are certain criminal charges pending against the petitioner in Crime No.617 of 2020, on the file of Kottar Police Station. It was thereafter, an enquiry appears to have been conducted against the petitioner and a report was submitted *vide* report dated 11.09.2020 holding the petitioner responsible for the assault etc. It



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was, thereafter, the petitioner submitted another representation requesting for extension of the contract period and for taking him back into the service. But, the same was negated by the second respondent through proceedings dated 06.05.2022, on the ground that the original contract period has come to an end by 17.02.2021. It was aggrieved by these proceedings, the petitioner has approached this Court by filing the present writ petition.

3. Admittedly, the original contract period has come to an end by 17.02.2021 during pendency of the enquiry and other proceedings against the petitioner. It is now contended by the learned counsel for the petitioner that the basis for the temporary termination of the contract is only registration of a criminal case in Crime No.617 of 2020, on the file of Kottar Police Station and the said criminal case was subsequently closed as mistake of fact and therefore, the temporary termination of the contract itself is liable to be declared as illegal and arbitrary. He also further submitted that the report of the Enquiry Officer is totally based upon the hearsay evidence and absolutely there is no admissible evidence. He further submitted that the services of the petitioner have not been taken back only on the ground that the contract period has come to an end by 17.02.2021. In the light of the same, petitioner seeks indulgence of this Court to issue appropriate directions directing the



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respondents to extend the contract period by renewing the same.

4. On the other hand, Mr.B.Ramanathan, learned Additional Government Pleader, who takes notice for the respondents, submits that the contract period has already come to an end and in case if any such appointment of DR-TB Coordinator on contract basis is required, the same has to be done only by following due process of law, namely, by issuing appropriate notification, calling for applications etc.

5. In the light of the above, as the criminal case in Crime No.617 of 2020, on the file of Kottar Police Station, is stated to have been closed as mistake of fact, the temporary termination of the contract dated 18.03.2020 is liable to be declared as illegal. However, taking into consideration the fact that the said agreement has come to an end as early as 17.02.2021 and the petitioner has chosen to approach this Court only in the year 2026, this Court is not inclined to issue any positive direction to the petitioner. It is made clear that in case if the respondents take any steps to fill up the post of DR-TB Coordinator either on contractual basis or otherwise and any notification is issued in this regard, it is open for the petitioner to participate in the said recruitment process and the respondents shall consider the candidature of the



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petitioner in accordance with law without reference to the registration of the case in Crime No.617 of 2020, as the same was already closed as mistake of fact, with other eligible candidates.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

12.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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