

W.A.(MD) No.182 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.A.(MD) No.182 of 2020
and
C.M.P.(MD) No.1270 of 2020

- 1.The Executive Secretary of District
Health Society / Deputy Director
of Health Services
Ramanathapuram
- 2.The Deputy Director of
Health Services
Paramakudi
Ramanathapuram District
- 3.The Block Medical Officer
Government Upgraded
Primary Health Centre
Bogaloor, Ramanathapuram District

... Appellants

-vs-

K.S.Subha Karuthukhan

... Respondent



W.A.(MD) No.182 of 2020

WEB COPY

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 01.02.2018, passed in W.P.(MD) No.248 of 2018, on the file of this Court.

For Appellants : Mr.V.Om Prakash
Government Advocate

For Respondent : Mr.K.R.Laxman

J U D G M E N T

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The present writ appeal has been instituted challenging the writ order dated 01.02.2018, passed in W.P.(MD) No.248 of 2018.

2. The respondents in the said writ petition are the appellants herein.

3. The respondent / writ petitioner was appointed as a Dental Assistant in the Government Upgraded Primary Health Centre for a period of one year on contract basis. The contractual engagement was renewed from

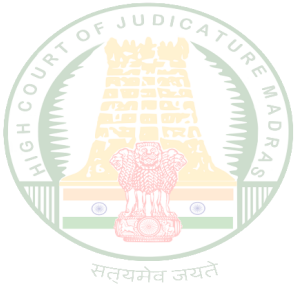


W.A.(MD) No.182 of 2020

WEB COPY

time to time. The respondent was implicated in a criminal case. Thus, he was disengaged by the appellants *vide* order dated 13.07.2017. The writ court formed an opinion that the criminal case registered in a matrimonial dispute may not be an impediment for continuance of the government contractual employment.

4. Under the Tamil Nadu Government Servants' Conduct Rules, 1973, matrimonial dispute is also a misconduct and the Government Departments are empowered to initiate action against such misconducts. A public servant is expected to maintain honesty, integrity and good conduct both inside the office and in the society. Therefore, for the misconduct, even if it is committed in the matrimonial relationship, the Government Departments are empowered to initiate departmental disciplinary proceedings. Pertinently, in the present case, the respondent was engaged as a contractual employee and the period of contract was also expired and the respondent was disengaged in the year 2017 itself. Thus, the writ order is not inconsonance with the principles established.



W.A.(MD) No.182 of 2020

WEB COPY

5. Accordingly, the writ order dated 01.02.2018, passed in W.P. (MD) No.248 of 2018, is set aside and the writ appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[A.D.M.C., J.]

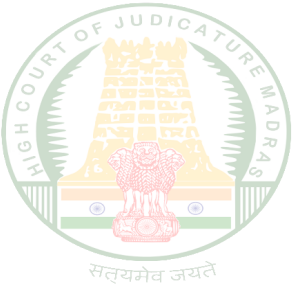
17.06.2025

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

krk

To:

- 1.The Executive Secretary of District,
Health Society / Deputy Director
of Health Services,
Ramanathapuram.
- 2.The Deputy Director of
Health Services,
Paramakudi,
Ramanathapuram District.
- 3.The Block Medical Officer,
Government Upgraded
Primary Health Centre,
Bogaloor, Ramanathapuram District.



WEB COPY



W.A.(MD) No.182 of 2020

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

krk

W.A.(MD) No.182 of 2020
and
C.M.P.(MD) No.1270 of 2020

17.06.2025

Page 5 of 5