

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 21820 of 2015 (B)

PETITIONER:

**SMITHA V., AGED 48 YEARS,
D/O.VIJAYAKUMARI, KULATHINKARA, HOUSE
MENUMKULAM, KAZHAKOOTTAM P.O., TRIVANDRUM
PIN - 695 582.**

**BY ADVS.SRI.M.R.SUDHEENDRAN
SRI.A.AFREEZAA KHAN**

RESPONDENTS:

- 1. THE INSPECTOR GENEAL, CENTRAL INDUSTRIAL SECURITY FORCE,
SOUTH SECTOR, CHENNAI.**
- 2. THE COMMANDANT, CENTRAL INDUSTRIAL SECURITY FORCE,
VIKRAM SARABHAI SPACE CENTRE, THUMPA, TRIVANDRUM.**

**R1 & R2 BY SMT.O.M.SHALINA, CGSC
SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- TRUE COPY OF THE MEDICAL REPORTS OF THE PETITIONER DTD 28/3/2015
ISSUED FROM SUT HOSPITAL**
- P2:- TRUE COPY OF THE CERTIFICATE DTD 9/5/2015 ISSUED BY THE DOCTOR
WHO IS TREATING THE PETITIONER AT SUT HOSPITAL, TRIVANDRUM**
- P3:- TRUE COPY OF THE DISCHARGE SUMMARY OF THE PETITIONER ISSUED
FROM SUT HOSPITAL, TRIVANDRUM**
- P4:- TRUE COPY OF THE PRESCRIPTIONS ISSUED FROM THE SUT HOSPITAL DTD
3/6/2015**
- P5:- TRUE COPY OF THE PRESCRIPTIONS ISSUED FROM THE SUT HOSPITAL DTD
13/6/2015**
- P6:- TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY THE DOCTOR OF SUT
HOSPITAL**
- P7:- TRUE COPY OF THE TREATMENT DETAILS AND MEDICAL REPORTS OF THE
PETITIONERS FATHER, ISSUED FROM SUT HOSPITAL**
- P8:- TRUE COPY OF THE REPRESENTATION DTD 9/5/2015**
- P9:- TRUE COPY OF THE TRANSFER ORDER DTD 23/6/2015 ISSUED BY THE FIRST
RESPONDENT**
- P10:- TRUE COPY OF THE REPRESENTATION DTD 4/7/2015 SUBMITTED BY THE
PETITIONER**

RESPONDENT(S)' EXHIBITS

- R2(A) IG/SS HQRS. CHENNAI LETTER NO.(6785) DATED 19.6.2015**

//TRUE COPY//

P.A. TO JUDGE

JJJ

K. VINOD CHANDRAN, J.

W.P.(C) No. 21820 of 2015 (B)

Dated this the 4th day of September, 2015

J U D G M E N T

The petitioner was continuing on medical leave from 6.3.2015, when she was transferred from her station at Thumba to I.S.A.C., Bangalore, by Ext.P9. The petitioner submitted an application before the transfer, which was considered, but however, rejected in Annexure R2(a). The transfer was made as per Ext.P9. The petitioner approached this Court and obtained an interim order. The petitioner, after her medical leave, joined the station at Thumba. The petitioner's contention is that she is unable to go on transfer because of her medical condition.

2. The learned Central Government Standing Counsel, on instructions, submits that the petitioner's application, submitted after Ext.P9, was not through proper channel.

3. In such circumstance, the petitioner, who joined the station at Thumbba, shall submit an application through the 2nd respondent, which application shall be submitted before the 2nd respondent within a week from the date of receipt of a certified copy of this judgment along with all the medical records to disclose the genuineness of the claim. The 2nd respondent shall immediately transmit the same to the 1st respondent, who shall consider it within a period of one month from the date of receipt. The petitioner's transfer shall stand stayed till orders are passed by the 1st respondent, and after that the same shall depend on the orders passed by the 1st respondent.

Writ Petition disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE