

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.07.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No. 20027 OF 2015

R.Arputharani

[PETITIONER]

Vs

- 1 The Director of Medical &
Rural Health Service
No.359 Anna Salai, DMS Compound
Teynampet-Chennai-6.
- 2 The Joint Director of Health Services
Thiruvapur, Thiruvapur District.
- 3 The Hospital Superintendent
District Government Headquarters Hospital
Mannargudi, Thiruvapur District. [RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the Respondents to consider the representation submitted by the Petitioner dated 30.06.2015 for transfer back to Mannargudi Government Headquarters Hospital on equitable grounds, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mrs.M.E.Rani Selvam
Addl.Government Pleader

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner was earlier working as Staff Nurse in Government Headquarters Hospital, Mannargudi in Tiruvapur District. While so, on 29.10.2014, she was transferred from Government Headquarters Hospital, Mannargudi to Government Headquarters Hospital, Nagapattinam. The petitioner questioned the said transfer order by filing a Writ Petition before this Court in W.P.No.29712 of 2014. This Court while dismissing the said Writ Petition on 14.11.2014, permitted the petitioner to make a representation to the authorities concerned to review the order of transfer.

3. Accordingly, the petitioner made representations, but the same were rejected by an order dated 08.06.2015, by stating that the transfer order was passed based on administrative grounds. Now the petitioner has made a representation dated 30.6.2015, expressing her difficulties, particularly medical reasons for transfer back to Mannargudi and she has also enclosed the medical records along with the representation.

4. The learned counsel would further submit that the order dated 08.06.2015, rejecting her request is solely on the ground that the petitioner was transferred on the administrative reasons. Hence, the petitioner prayed that a direction may be issued to the first respondent to consider and pass appropriate orders on the representation submitted by the petitioner dated 30.06.2015, by taking note of the medical problems faced by her.

5. In view of the limited scope of the prayer made by the petitioner, the first respondent is directed to consider the representation submitted by the petitioner dated 30.06.2015, by taking note of the medical problems faced by her and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

rpa

To

- 1 The Director of Medical &
Rural Health Service
No.359 Anna Salai, DMS Compound
Teynampet Chennai-6.
- 2 The Joint Director of Health Services
Thiruvapur, Thiruvapur District.
- 3 The Hospital Superintendent
District Government Headquarters Hospital
Mannargudi, Thiruvapur District.

1 cc to Mr.G.Sankaran, Advocate, Sr. 33807

1 cc to the Government Pleader, Sr. 34356

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