

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.26380 of 2015

V.Subramani

... Petitioner

Vs.

1. Director of Medical Education
Office of Directorate of Medical Education,
Kilpauk, Chennai - 600 010.

2. The Dean,
Rajiv Gandhi Government General Hospital
Chennai - 600 003. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to issue relieving order to the petitioner within stipulated period as fixed by this Hon'ble Court enabling the petitioner to join the transferred place at Government Peripheral Hospital, Anna Nagar, Chennai.

For Petitioner : Mr.S.Parthasarathy
For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner was working as an Assistant in the Operation Theatre attached to the Rajiv Gandhi Government General Hospital, Chennai and vide order dated 12.12.2014 passed by the first respondent, he was transferred to Government Peripheral Hospital, Anna Nagar, Chennai on his request in the existing vacancy and with further order that the date of relief / joining of the individual should be informed to them promptly. The grievance expressed by the petitioner is that though the transfer order came to be passed as early as on 12.12.2014, he is yet to be relieved and in this regard, he has submitted a representation dated 06.08.2015 to the respondents and since he is yet to be favoured with any response, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner is suffering due to Disc Prolapse L5-SI/Disc Bulgo L4-1.5 with facetar Arthropathy 1.4 to 1.5 and L5 to SI and has also undergone surgery namely, Disectomy with Posterior Stabilisation with Postero Lateral and in the light of the above said circumstances only he prayed for transfer and it was also considered and order of transfer came to be passed on 12.12.2014 and inspite of it, he is yet to be relieved and prays for appropriate orders.

4.Heard the submissions of Mr.S.Parthasarathy, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5.This Court taking into consideration the above facts and circumstances, directs the first respondent to act on its transfer and posting order dated 12.12.2014 and relieve the petitioner within a period of one week from the date of receipt of a copy of this order so as to enable him to join the Government Peripheral Hospital, Anna Nagar, Chennai.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1.Director of Medical Education
Office of Directorate of Medical Education,
Kilpauk, Chennai - 600 010.

2.The Dean,
Rajiv Gandhi Government General Hospital
Chennai - 600 003.

+1 cc to Mr.S.Parthasarathy, Advocate, sr.44955
+1 cc to The Government Pleader, sr.45393

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kra(28/08)