



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.08.2015

Coram

THE HONOURABLE MR.JUSTICE T.RAJA

WP (MD) No.15068 of 2015

A.Kaja

.. Petitioner

Vs.

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

2.The Director of Medical and Rural Health Services,  
Chennai - 6.

3.The Dean,  
Government Thiruvarur Medical College.  
Thiruvarur,  
Thiruvarur District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ or Order or direction particularly in the nature of Writ directing the 3rd respondent to pass necessary orders on the petitioner's request dated 27.06.2015.

|                 |   |                                  |
|-----------------|---|----------------------------------|
| For Petitioner  | : | M/S.T.Kalaiselvi                 |
| For Respondents | : | Mr.R.Anandharaj<br>Govt.Advocate |

#### ORDER

This writ petition has been filed with a peculiar prayer seeking Mandamus directing the third respondent to pass necessary orders on the petitioner's request dated 27.06.2015, to relieve him from the Government Medical College, Thiruvarur and permit him to join in Government **\*Hospital**, Cumbum, where he was already transferred.

2. The short issue raised in the present writ petition is that, while the petitioner was working as Lab Technician, Grade - II, Thiruvarur Government Medical College, the second respondent, Director of Medical and Rural Health Services, Chennai, passed an order dated 23.03.2015, transferring the petitioner from Thiruvarur Government Medical College to Government hospital, Cumbum. Subsequently, he was released by the first respondent by an order dated 31.03.2015. But the problem faced by the petitioner today is that he has not been relieved from Thiruvarur Medical College Hospital.

3. The learned Government Advocate submitted that in view of large number of vacancies in Thiruvarur Medical College Hospital, the petitioner could not be relieved to join at Government hospital, Cumbum, although some vacancies are available at Cumbum Government hospital. In



reply, the learned counsel for the petitioner submitted that since the petitioner's spouse is also working in Cumbum, the order of transfer passed by the second respondent should be allowed to be implemented.

4. Since the petitioner's spouse is working in Cumbum and in the said place, some vacancies are available, accepting the order of transfer already passed by the second respondent in favour of the petitioner transferring him from Thiruvarur Government Medical College to Cumbum Government hospital, the third respondent is hereby directed to relieve the petitioner so as to join in the transferred place, within a period of three weeks from the date of receipt of copy of this order.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-

The Assistant Registrar(Record)

(\*corrected order issued)

/True copy/

Sub-Assistant Registrar

To

1.The Director of Medical Education,  
Kilpauk, Channai - 600 010.

2.The Director of Medical and Rural Health Services,  
Chennai - 6.

3.The Dean,  
Government Thiruvarur Medical College.  
Thiruvarur,  
Thiruvarur District.

+1cc to M/s.T.Kalaiselvi, Advocate SR.No.48698  
+1cc to special Government Pleader, SR.No.48901

mj

sm:AMF:SAR II:28.8.2015:2P/6C

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