

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.15379 of 2016

S.Rajalakshmi

... Petitioner

-Vs-

1.The Secretary,
Health and Family Welfare Department,
St. George Fort, Chennai-9.

2.The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai-600 006.

3.The Diector,
Director of Medical Education,
Poonnamalli High Road,
Kilpauk, Chennai-10.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 09.04.2016 and transfer the petitioner from Thiruvarur District Government Hospital, Thiruvarur to Kambam Government Hospital or Theni Medical College Government Hospital, Theni District.

For Petitioner : Mr.R.K.Gandhi

For Respondents : Mr.S.Gunasekaran,
Additional Government Pleader
for R1 to R3

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O R D E R

This writ petition has been filed by the petitioner, seeking a direction to the respondents to consider her representation dated 09.04.2016 and to transfer her from Thiruvarur District Government Hospital, Thiruvarur to Kambam Government Hospital or Theni Medical College Government Hospital, Theni District.

2.The grievance of the petitioner is that she was appointed as Staff Nurse based on consolidated pay on 06.07.2009 at Government Primary Health Center Hospital, Muvanur, Tiruchirappalli District. Subsequently, she was regularised by the second respondent and posted as Staff Nurse at Tiruvarur Medical College Government Hospital, Tiruvarur District on 04.11.2015. Thereafter, she married Mr.Rajagopal, who is working as male Staff Nurse in Kambam Government Hospital, Theni District. As her husband has suffered heavy head ache, he was advised to take MRI scan and further it was found that he was suffering from brain tumour. Thereafter, he was advised to take radiotherapy treatment. Since the petitioner is working in Thiruvarur, which is more than 400 k.m. away from Kambam, as she being the wife to attend the medical needs of her husband, who is settled in Kambam, she made a representation dated 09.04.2016 to the respondents, seeking transfer to Kambam Government Hospital or Theni Medical College Government Hospital, Theni District. But the same has not been considered by the respondents. Therefore, she is before this Court.

3.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

4.A perusal of the scan reports and discharge summaries issued by Hannah Joseph Hospital shows that the petitioner's husband has been suffering from brain tumour, as a result of which he has been undergoing radiotherapy treatment. Therefore, the representation made by the petitioner deserves to be considered sympathetically. Accordingly, the respondents are directed to consider the petitioner's representation dated 09.04.2016 and pass appropriate orders, on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Secretary,
Health and Family Welfare Department,
St. George Fort, Chennai-9.

2.The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai-600 006.

3.The Diector,
Director of Medical Education,
Poonnamalli High Road,
Kilpauk, Chennai-10.

+lcc to Mr.R.K.Gandhi, Advocate, S.R.No.26092
+lcc to the Government Pleader, S.R.No.26653

W.P. No.15379 of 2016

SV(CO)
CA(27/05/2016)



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