

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-06-2016

Coram

THE HON'BLE MR.JUSTICE B. RAJENDRAN

Writ Petition No.17529 of 2016

S.Sasikala

... 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 Director
Director of Medical Education
Poonamallee High Road
Kilpauk
Chennai-10.

... Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 24.03.2016, and to transfer the petitioner from Villupuram Medical College Government Hospital to Manaparai Government Hospital or Tiruchirappalli Government Hospital or to any other nearest Government Primary Health Center Hospital and to pass further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.K.Gandhi

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 24.03.2016, and to transfer the petitioner from Villupuram Medical College Government Hospital to Manaparai Government Hospital or Tiruchirappalli Government Hospital or to any other nearest Government Primary Health Center Hospital and to pass further orders as this Court may deem fit and proper in the circumstances of the case.

3. The petitioner was appointed as staff nurse on consolidated pay, on 03.10.2008, at Government Primary Health Center Hospital, Kottapatti, at Tiruchirappalli District. The petitioner's service was regularized by the 2nd respondent and she was posted as staff nurse at Villupuram Medical College Government Hospital, Villupuram District, on 17.02.2014. The petitioner's husband is working at Manaparai, Tiruchirappalli District, which is more than 300 km away from Villupuram. The petitioner delivered triplets, therefore, she has lot of health problems. The petitioner has submitted a representation, on 24.03.2016, seeking to transfer him from Villupuram Medical College Government Hospital to Manaparai Government Hospital or Tiruchirappalli Government Hospital. But, till date, there was no response and hence, the Writ Petition has been filed.

4. Mr.R.K.Gandhi, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if her representation, dated 24.03.2016, seeking transfer is directed to be considered by the respondents and appropriate orders are passed.

5. Mr.K.Rajendra Prasad, the learned Government Advocate, who takes notice on behalf of the respondents, has got no serious objection in directing the respondents to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

6. Considering the above submissions, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to consider the representation of the petitioner, dated 24.03.2016, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this

Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

paa

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 Director
Director of Medical Education
Poonamallee High Road
Kilpauk
Chennai-10.

+1cc to Mr.R.K.Gandhi, Advocate, S.R.No.29711
+1cc to the Government Pleader, S.R.No.29216

W.P.No.17529 of 2016

RSY(CO)
CA(15/06/2016)

WEB COPY