

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.27206 of 2016

K.Muhamed Boustia

.. Petitioner

Vs.

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

2.The Director,
Medical and Rural Health Services,
D.M.S. Campus, Teynampettai,
Chennai - 6.

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 02.07.2016 and transfer the petitioner from Government Thiruvarur Medical College Hospital, Thiruvarur to Tirunelveli Government Hospital and any nearest Primary Health Centre in Tirunelveli which are nearest to the petitioner.

For Petitioner : Mr.R.K.Gandhi
For Respondents : Mr.R.S.Selvam, GA

ORDER

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

2. The prayer made in the writ petition is to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.07.2016 and transfer the petitioner from Government Thiruvarur Medical College Hospital, Thiruvarur to Tirunelveli Government Hospital or any other nearest Primary Health Centre in Tirunelveli.

3. According to the case of the petitioner, her husband is working at Dubai and she is having a male child and aged father-in-law at Tirunelveli. She is working as staff nurse in Government Thiruvavarur Medical College Hospital, Thiruvavarur, which is more than 410 km away from Tirunelveli. As she is facing lot of difficulties to take care of her child and father-in-law, apart from mental agony, she sought for transfer. Though she participated in the counseling and her juniors as well as few seniors have got transfer orders, the petitioner's request has not been considered by the respondents. Hence, she made a representation dated 02.07.2016 to the respondents seeking transfer to Tirunelveli Government Hospital, Tirunelveli or any other nearest Primary Health Centre in Tirunelveli and the same is yet to be disposed of. Therefore, the petitioner is before this Court with the present writ petition.

4. Heard Mr.R.K.Gandhi, learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate, who takes notice for the respondents.

5. Considering the facts and circumstances of the case, this Court, without expressing any opinion with regard to the claim made by the petitioner, directs the respondents to consider the representation of the petitioner dated 02.07.2016 seeking transfer and pass appropriate orders on merits and in accordance with law.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

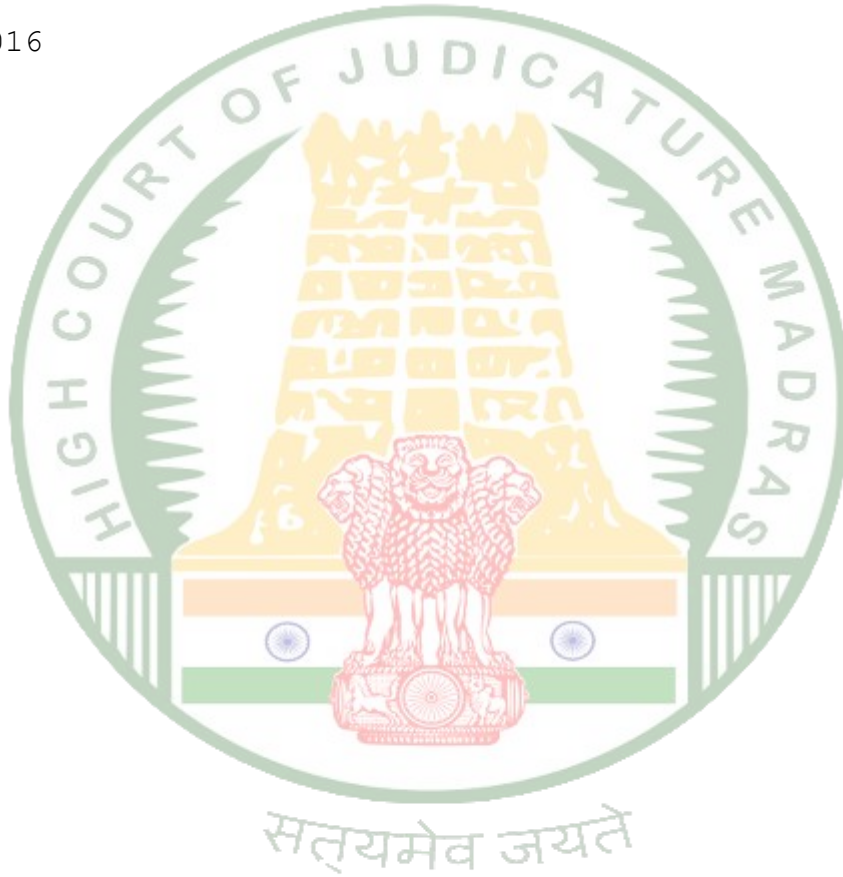
2.The Director,
Medical and Rural Health Services,
D.M.S. Campus,
Thenampettai,
Chennai - 6.

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

+1 cc to Mr.R.K.Gandhi Advocate sr 45071
+1 cc to the Government Pleader sr 44579

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