

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.33901 of 2016

Mrs.K.Athirshthalakshmi

... Petitioner

Vs.

1 The Secretary
Health and Family Welfare Department,
Fort St.George,
Chennai – 09.

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

3 The Director,
Director of Medical Education,
Poonnamallee High Road, Kilpauk,
Chennai – 10.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to transfer the petitioner from Government Villupuram Medical College Hospital, Villupuram to Tirunalveli District, or Thenkasi, or Senkottai, or Sankarankovil any one Government Hospital, and any one Urban Primary Health Centers which is nearest to the petitioner native place.

For Petitioner : Mr.R.K.Gandhi
For Respondents : Mr.R.Venkatesh
Government Advocate

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus to direct the respondents to transfer the petitioner from Government Villupuram Medical College Hospital, Villupuram to Tirunalveli District, or Thenkasi, or Senkottai, or Sankarankovil or any one Government Hospital, or any one Urban Primary Health Centers which is nearest to the petitioner's native place.

3.The petitioner would state that she has completed Diploma in Nursing Course and was selected and appointed as Staff Nurse on consolidated pay on 09.07.2009 at Government Primary Health Center, Navalpakkam, Cheyyar HUD, Thiruvannamalai District. Thereafter, the order was modified and she was re-posted at Government Primary Health Center, Thirunedungulam, Trichirapalli HUD, Trichirapalli District and her service was regularized by the second respondent and was posted as Staff Nurse at Villupuram

Government Medical College Hospital, Villupuram District on 04.03.2016.

4.The petitioner would further state that her relations including her husband and aged parents are residing in Tirunelveli and she is not able to take care of them. She would further state that though she got married in the year 2009, she has no child till now and she is undergoing treatment for the same. Since she is working in Villupuram which is more than 550 Km away from Tirunelveli, she is facing lot of difficulties apart from mental agony and hence, she made representation dated 16.08.2016, to the respondents seeking transfer to any one of the Government Hospital or any one of the Urban Primary Health Centre which is nearest to her native place and since, it has not yet been considered, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate who takes notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the same, this Court directs the respondents to consider the representation of the petitioner dated 16.08.2016, on

R.SUBBIAH,J.

merits and in accordance with law and pass appropriate orders, as per the relevant Rules, within a period of six weeks from the date of receipt of a copy of this order.

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

27.09.2016

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Index: Yes / No Internet: Yes / No

To

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