

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.33902 of 2016

Mrs.M.Lavanya

... 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 consider petitioner representation dated 12.08.2016 and transfer the petitioner from Villupuram Government Medical College Hospital, Villupuram to Dindigul Government Hospital or Vathalakundu Government Hospital, or 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 consider the petitioner's representation dated 12.08.2016 and transfer the petitioner from Villupuram Government Medical College Hospital, Villupuram to Dindigul Government Hospital or Vathalakundu Government Hospital or any one Urban Primary Health Centre which is nearest to the petitioner's native place.

3.The petitioner would state that she has completed Diploma in Nursing Course and was appointed as Staff Nurse on consolidated pay on 03.07.2009 at Government Primary Health Centre, Nedymbiray, Cheyyar HUD, Thiruvannamalai District. Her service was regularized by the second respondent and was posted as Staff Nurse at Government Villupuram Medical College Hospital, Villupuram District on 04.03.2016.

4.The petitioner would further state that she is having one year

old female child and the child was suffering from Bilateral Herniotomy and hence, has undergone surgery and she has to take care of her child. The petitioner would further state that she also has to take care of her aged parents, father in law and her husband and they all are residing in Dindigul District. Since she is working in Villupuram which is more than 450 Km away from Dindigul, she is facing lot of difficulties apart from mental agony and hence, she made representation dated 11.08.2016, 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 11.08.2016, on 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.

R.SUBBIAH,J.

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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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