

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.3852 of 2016

Mrs.C.Rathika

... Petitioner

-Vs-

1. The Secretary
Medical and Health Department
St.George Fort
Chennai-9
2. The Director
Medical and Rural Health Services
D.M.S.Campus
Thenampettai
Chennai-600 006
3. The Director
Director of Medical Education
Poonamalli High Road
Kilpauk
Chennai-10

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 13.01.2016 and transfer the petitioner from Government Thiruvarur Medical College Hospital to any Primary Health Center in Namakkal District or any Primary Health Center in Senthamangalam which are nearest to the petitioner.

For Petitioner : Mr.A.S.Baalaji

For Respondents : Mr.P.Chinnadurai
Government Advocate

ORDER

Mrs.C.Rathika has filed this writ petition seeking a limited prayer, for a direction to the respondents to consider her representation dated 13.1.2016, wherein she has requested for a transfer from Government Thiruvavur Medical College Hospital to any other Primary Health Center in Namakkal District or any Primary Health Center in Senthamangalam which are nearer to the petitioner's place.

2. Learned counsel for the petitioner submitted that after the petitioner was appointed as a Staff Nurse in the year 2006, her services were regularised by the second respondent on 18.7.2013. She has also completed her B.Sc.(Nursing) in the year 2015. Thereafter, when the respondents 2 & 3 conducted the counselling for the post of Staff Nurse, she participated in the said counselling before them on 15.9.2015 and 16.9.2015. Since the transfer counselling took place on the basis of seniority list, some of the juniors got placement, as a result the petitioner is not able to get the benefit of transfer. In this connection, she has also given a representation dated 13.1.2016 requesting for transfer, as her family is situated far off from the present work place.

3. It is at this point of time, Mr.P.Chinnadurai, learned Government Advocate, taking notice on behalf of the respondents, submitted that the transfer counselling had already taken place and hence the question of considering the petitioner's representation is not possible.

4. Prima facie, considering the fact that the petitioner is working in a far off place away from the family, this Court is of the view that the case of the petitioner for transfer can be considered by the respondents as and when the transfer counselling takes place in future. Accordingly, the writ petition is disposed of with a direction to the second respondent to consider the petitioner's representation dated 13.1.2016 for transfer in the ensuing counselling sympathetically. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ss

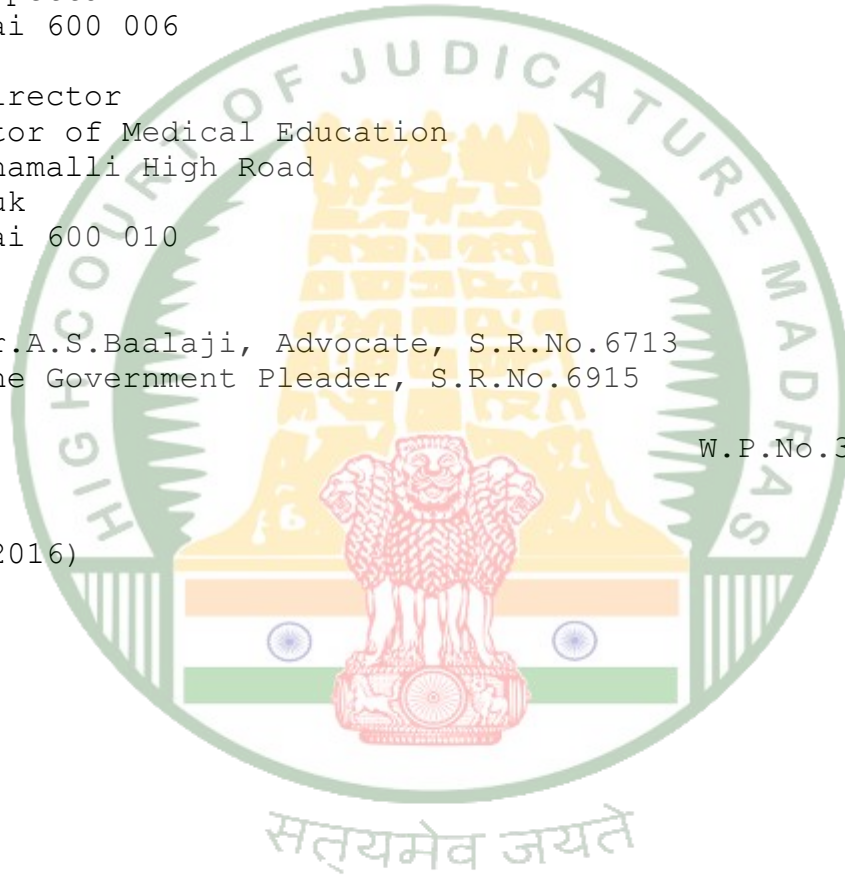
To

1. The Secretary to Government
Medical and Health Department
Fort St.George
Chennai 600 009
2. The Director
Medical and Rural Health Services
D.M.S.Campus
Thenampettai
Chennai 600 006
3. The Director
Director of Medical Education
Poonthamalli High Road
Kilpauk
Chennai 600 010

+1cc to Mr.A.S.Baalaji, Advocate, S.R.No.6713
+1cc to the Government Pleader, S.R.No.6915

W.P.No.3852 of 2016

AD(CO)
CA(03/02/2016)



WEB COPY