

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8043 of 2016

&

WMP Nos.7160 to 7162 of 2016

1. K.Loganathan [Petitioner]

Vs.

1. Government of Tamilnadu
rep. by its Secretary to Government
Health and Family Welfare Department
Fort St. George, Chennai-9.

2. The Director of Medical Education
162, EVR Periar Salai,
Kilpauk, Chennai-10.

3. The Dean,
Madras Medical College,
Chennai-3.

4. Dr.R.Vimala,
Dean, Madras Medical College,
Chennai-3.

5. Dr.V.Murugesan,
Director of Forensic Medicine,
Madras Medical College,
Chennai-3.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in her proceedings Ref. No.42618/E5/ 2/ 2015-1 dated 28.1.2016 and the records of the 3rd respondent pertaining to her proceedings in Ref. No.001664/E2(1)/2016 dated 1.2.2016 and quash the same and issue consequential directions to the respondents 2 & 3 to allow the

petitioner to continue as Scientific Officer, Institute of Forensic Medicine, Madras Medical College, Chennai-3

For Petitioner : Mr.K.S.Karthik Raja

For Respondents : Mr.A.Kumar, SGP for R1 to R3

O R D E R

Heard the learned counsel for the petitioner and Mr.A.Kumar, learned Special Government Pleader, who took notice for respondent Nos.1 to 3 and with their consent, the main writ petition itself is taken up for hearing.

2. This writ petition has been filed by Mr.K.LOganathan, challenging the impugned order of transfer dated 28.1.2016.

3. It is seen that this Court, on 29.2.2016, already dismissed the petitioner's earlier writ petition in W.P.No.4521 of 2016, challenging the relieving order dated 1.2.2016.

4. The learned Special Government Pleader appearing for respondents 1 to 3, opposing the prayer, submitted that the petitioner had already served more than 4 years in Madras Medical College. Secondly, he has been transferred within the same city in another Government Medical College, wherein a vacancy was available for a long time. Therefore, the petitioner has been transferred after completion of four years from Madras Medical College to Stanley Medical College due to administrative reason.

5. This Court, considering the fact that transfer is not only an incident, but also a condition of service, necessary too in public interest and efficiency in the public administration and besides that he has been transferred within the same City, is not inclined to interfere with the impugned transfer order. Hence, the writ petition fails and the same is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

ajr

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

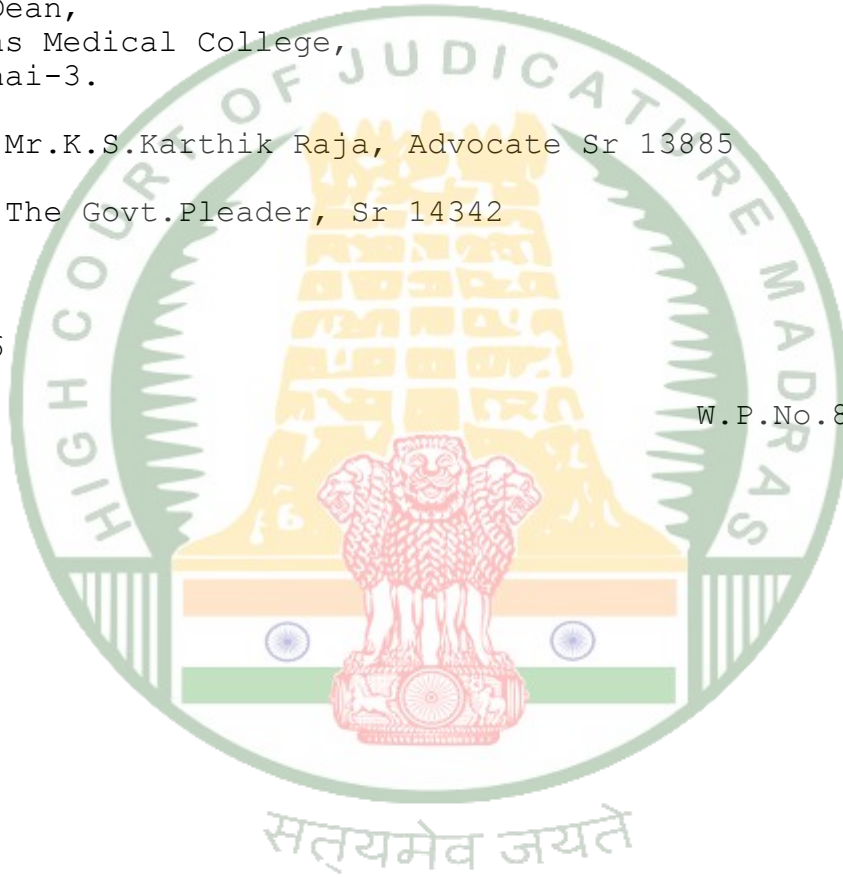
1. The Secretary to Government,
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Kilpauk, Chennai-10.
3. The Dean,
Madras Medical College,
Chennai-3.

+ 1 cc to Mr.K.S.Karthik Raja, Advocate Sr 13885

+ 1 cc to The Govt.Pleader, Sr 14342

KR/21/3/16

W.P.No.8043 of 2016



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