



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13686 of 2016

V.Mary Ajitha

...Petitioner

Vs

- 1.The Secretary to Government,
Health and Family Welfare Department,
Fort.St.Geroge,
Chennai-600 009.
- 2.The Director,
Medical and Rural Health Service,
D.M.S.Campus, Teynampet,
Chennai-600 006.
- 3.The Joint of Health services,
Kanyakumari District at Nagercoil.
- 4.The Director,
Director of Medical Education,
Poonamalli High Road,
Kilpauk, Chennai-10.
- 5.The Deputy Director of Health Services,
Ramanathapuram District.
- 6.The Block Medical Officer,
Government Primary Health Centre,
Pandukudi,
Ramanathapuram District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 23.05.2016 and 08.06.2016 seeking request transfer and consequently to grant a direction directing the 1st and 2nd respondents to pass an order of transfer of the petitioner from the Primary Health Centre at Thondi, Ramanathapuram District to Padmanabhapuram Government



Hospital, Kuzhithurai Government Hospital or Kothanallloor Primary Health Centre at Kanyakumari District.

For petitioner : Mr.L.Victoria Gowri
For respondents : Mr.R.Anadharaj

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ORDER

Ms.V.Mary Ajitha, has come to this Court seeking a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.05.2016 and 08.06.2016 seeking request transfer from the Primary Health Centre at Thondi, Ramanathapuram District to Padmanabhapuram Government Hospital, Kuzhithurai Government Hospital or Kothanallloor Primary Health Centre at Kanyakumari District.

2. Learned counsel for the petitioner submitted that the petitioner is a Staff Nurse working in the Primary Health Centre, Mangalakudi, Ramanathapuram District. Her husband is working as a Staff Nurse in the E.S.I.Hospital at Tirunelveli, Ministry of Labour and Employment, Government of India. They have got small school going children. The father-in-law of the petitioner is a heart patient and her mother-in-law suffers 90% disability. Due to the absence of the petitioner, the school going children are very much affected, so also, her in-laws. Stating all these facts, the petitioner submitted an application seeking transfer from the Primary Health Centre at Thondi, Ramanathapuram District to Padmanabhapuram Government Hospital, Kuzhithurai Government Hospital or Kothanallloor Primary Health Centre at Kanyakumari District. However, no response is forth coming from the respondents forcing the petitioner to approach this Court for necessary relief.

3. Mr.R.Anandharaj, learned Government Advocate after taking notice, submitted that, although the Counselling is commenced on 04.08.2016, the case of the petitioner can be considered on merits.

4. Considered the submissions made on either side and perused the materials available on record.

5. In view of the fact that the petitioner has got school going children in the age group of 6 and 4 recessively, and their in-laws are suffering old-age problems, more particularly, the husband is working at Tirunelveli and admittedly, there are vacancies available at the office of the respondents, the second respondent is directed to consider the case of the petitioner favourably and pass appropriate orders, within a period of two months from the date of receipt of a copy of this order



6. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Record)

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/True Copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Health and Family Welfare Department,
Fort.St.Geroge,
Chennai-600 009.
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- 6.The Block Medical Officer,
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Pandukudi,
Ramanathapuram District.

+1cc to M/s.Victoria Gowri, Advocate SR.No.42859

+1cc to Special Government Pleader SR.No.42947

W.P(MD)No.13686 of 2016

08.08.2016

ssm

SD/SK-SKN/24.08.2016/3P/9C