



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2016

C O R A M

THE HONOURABLE Dr.JUSTICE S.VIMALA

Writ Petition (MD) No.18122 of 2016

Y.Ferzibha

.. Petitioner

Vs.

1.The Secretary,
Health and Family Welfare,
Secretariat, Chennai - 600 009.

2.The Director,
Medical Education,
Kilpauk, Chennai - 600 010.

3.The Director,
Medical and Rural Health Services,
Chennai - 600 006.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the petitioner's application, dated 28.07.2016, to transfer her from Primary Health Centre Masthanpatti Madurai District to Asaripallam Government Medical College Hospital Kanyakumari District.

For petitioner ... Mr.T.Lenin Kumar

For Respondents ... Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

This is a Writ of Mandamus seeking direction to the 2nd respondent to consider the petitioner's application, dated 28.07.2016, to transfer her from Primary Health Centre Masthanpatti Madurai District to Asaripallam Government Medical College Hospital Kanyakumari District.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3.It is the grievance of the petitioner that from 2014 onwards, even though she is functioning without any blemishes on services rendered by her, her request for transfer has not been considered so far. As her application dated 28.07.2016 has not been considered, this writ petition has been filed.



4.The learned Additional Government Pleader for the respondents would state that transfer counselling and promotion counselling are scheduled to take place on 21.09.2016 and 23.09.2016 respectively and the transfer counselling is already over and promotion counselling is to be held on 23.09.2016.

5.Anticipating that if in the promotion counselling, some candidate is promoted, that vacant place may become available to the petitioner, this writ petition has been filed. However, having regard to the claim made that for a long number of years, her request for transfer has not been considered, the respondent Nos.2 and 3 are directed to consider the claim made by the petitioner, in the light of the representation, dated 28.07.2016, after the completion of the promotion counselling on 23.09.2016/or in the available vacancy.

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

Sd/

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

1.The Secretary,
Health and Family Welfare,
Secretariat, Chennai - 600 009.

2.The Director,
Medical Education,
Kilpauk, Chennai - 600 010.

3.The Director,
Medical and Rural Health Services,
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+1CC to M/S.T. Lenin Kumar, Advocate, SR.No. 54897

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AM/SK SKN/SAR-LIB/22.09.2016/2P/5C (IT)