IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.790 of 2017

S.Parani ... Petitioner

Vs.

1 The Secretary
Medical and Health Department,
St.George Fort,
Chennai - 09.

2 The Director
Medical and Rural Health Services
D.M.S.Campus,
Thenampettai,
Chennai - 600 006.

3 The Director,
Director of Public Health Services,
D.M.S. Campus,
Thenampettai,
Chennai - 600 006. ... Respondents

Prayer:
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 10.08.2016 and transfer the petitioner from Ayankudi Primary Health Centre, Cuddalore District to any Primary Health Center in Dindigul District or any Primary Health Center in Nilakottai of Vathalgundu or Ammainayakanur which are nearest to the petitioner.

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For Petitioner : Mr.R.K.Gandhi
For Respondents : Mrs.M.E.Rani Selvam
Additional Government Pleader

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O R D E R

By consent, the writ petition is taken up for final disposal. Mrs.M.E.Rani Selvam, learned Additional Government Pleader accepts notice on behalf of the respondents.

2.The petitioner was initially appointed as Staff Nurse on consolidated pay basis for five years and her services were confirmed and regularised by the second respondent on 07.07.2012 and she was transferred and posted to Government Primary Health Center, Ayankudi, Cuddalore District. The petitioner got married in the year 2013 and out of the wedlock, gave birth to two children and the second child is about nine months old. The petitioner would state that her husband is residing in Dindugul District and the family is under the care of her husband and he is eking out his livelihood by doing carpentry work and while he was doing his work, a piece of wooden log hit on one of his eyes and he lost his eye sight and is also taking treatment in Aravind Eye Hospital at Madurai for quite some time.

3.The grievance expressed by the petitioner is that on account of the family circumstances, she has prayed for transfer to any one of the Primary Health Center in Dindigul District, Nilakottai, Vathalgundu, Ammainayakanur, in the form of representation dated 10.08.2016 submitted through proper channel to the third respondent with copies marked to the respondents 1 and 2 and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.

5.Though, the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to consider and dispose of the petitioner's representation dated 10.08.2016, on merits and in accordance with law and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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+1cc to Mr.R.K. Gandhi, Advocate, S.R.No.2605
+1cc to the Government Pleader, S.R.No.3049

rsk(CO)
md(31/01/2017)

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