

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 12.09.2018

CORAM
THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI
W.P.No.16891 of 2018

A.Latha

....Petitioner

Vs

1. The State of Tamil Nadu represented by
its Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
2. The Director,
Medical and Rural Health Service,
DMS Office, Tenampet,
Chennai - 600 006.
3. The Director of Medical Education,
Kilpauk, Chennai - 600 010.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to transfer the petitioner from Government Medical College Hospital, Thiruvavur to Government Head Quarters Hospital, Kovilpatti in the light of the G.O.(Ms). No.179 Health and Family Welfare (EAPII-2) Department dated 14.05.2018 and based on the petitioner's representation dated 08.11.2017, 20.03.2018 and 04.06.2018 within the time limit fixed by this Court.

For Petitioner : Mr.R.Baskaradoss
For Respondents : Mr.P.Raja,
Government Advocate

सत्यमेव जयते
ORDER

Mr.P.Raja, learned Government Advocate accepts notice for the respondents.

2. The grievance of the petitioner in this case is that though she is working as Staff Nurse in Government Medical College Hospital, Thiruvavur for the last four years, her name has not been included in the transfer counselling even if she is senior to some other person included in the transfer counselling. In this regard, she has made a representation to the third respondent on 04.06.2018, but such representation has not been considered and she has been ignored in the transfer counselling. Hence, she has come to this Court to direct the

third respondent to take a decision on such representation.

3. Heard, the learned counsel for the petitioner, so also the learned Government Advocate appearing for the respondents.

4. Regard being had to the facts and submissions made, especially the nature of relief sought for, this Court, without expressing any opinion on merits of such representation, dispose of the writ petition with a direction to the third respondent to take an informed and considered decision on the representation of the petitioner made on 04.06.2018, if not already taken, in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order and intimate the decision thereof to the petitioner forthwith provided there is no other legal impediment in dispose of the same. However, it is made clear that this Court has expressed no opinion on merits of such representation in any manner and as such there is no fetter on the respondent concerned to dispose of the representation in any particular manner except to dispose of the same within the time stipulated. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.

2. The Director,
Medical and Rural Health Service,
DMS Office, Tenampet,
Chennai - 600 006.

3. The Director of Medical Education,
Kilpauk, Chennai - 600 010.

+1cc to Mr.R.Baskaradoss, Advocate, S.R.No.63568
+1cc to the Government Pleader, S.R.No.64189

W.P.No. 16891 of 2018

rrs 09/10/2018