

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.34240 of 2018

G.Dhanalakshmi

...Petitioner

Vs

1.The Director of Public Health and
Preventive Medicine, Chennai - 600 006.

2.The Deputy Director of Health Services,
Dharmapuri.

3.The Block Medical Officer,
Government Primary Health Centre,
Solakkadu, Kolli Hills, Dharmapuri District.

... Respondents

For Petitioner : M/s.K.K.N.Ganeshan
For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the petitioner's application for transfer dated 11.10.2018 submitted through the third respondent to the first respondent and to transfer the petitioner from Government Primary Health Centre, Solakkadu, Kolli Hills, Dharmapuri District, to some other nearby Government Primary Health Centre at Ilakkiapatti, Adhiyamankottai or Vetrayankottai at Dharmapuri District, by considering the representation dated 06.12.2018 made by the petitioner to the first respondent.

ORDER

The petitioner was originally appointed as Village Health Nurse in Government Primary Health Centre, Solaikottai Block, Dharmapuri District. She was placed under suspension on 30.10.2015. Challenging the said order, the petitioner filed W.P.No.39626 of 2015, and this Court, by an order dated 04.05.2016, disposed of the writ petition with a direction the petitioner to send a fresh representation along with the copy of

the order of this Court and a direction to the respondents to consider such representation of the petitioner in accordance with law. However, the first respondent rejected the request of the petitioner to revoke the order of suspension and reinstatement to service, by an order dated 10.06.2016. Again the petitioner filed W.P.No.33503 of 2016 against the rejection order, which was allowed by this Court by an order dated 23.09.2016, setting aside the rejection order of the respondents dated 10.06.2016 and directing the respondents to reinstate the petitioner in any non sensitive post. As per the direction issued by this court, the petitioner was posted to the office of the third respondent as AN, without prejudice to the pending disciplinary proceedings. On 04.10.2017, the petitioner, citing medical reasons, made a representation seeking transfer to Block Medical Officer, Suriyakadai, Chitheri, Dharmapuri Taluk, and the first respondent by his proceedings dated 22.01.2017, transferred the petitioner to Suriyakadai, Chitheri, Dharmapuri Taluk. Immediately on 31.01.2017, the first respondent cancelled the said transfer. The petitioner once again made a representations for her transfer on 11.10.2018 and 06.12.2018, to the third respondent requesting him to transfer her to some other nearby place. As the same were not considered, the petitioner has filed the present writ petition.

2. Mr. A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondents. Heard the learned counsel appearing on either side and perused the materials available on record.

3. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the respondents to consider the representation of the petitioner dated 11.10.2018 and 06.12.2018 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

kst

To

1.The Director of Public Health and
Preventive Medicine, Chennai - 600 006.

2.The Deputy Director of Health Services,
Dharmapuri.

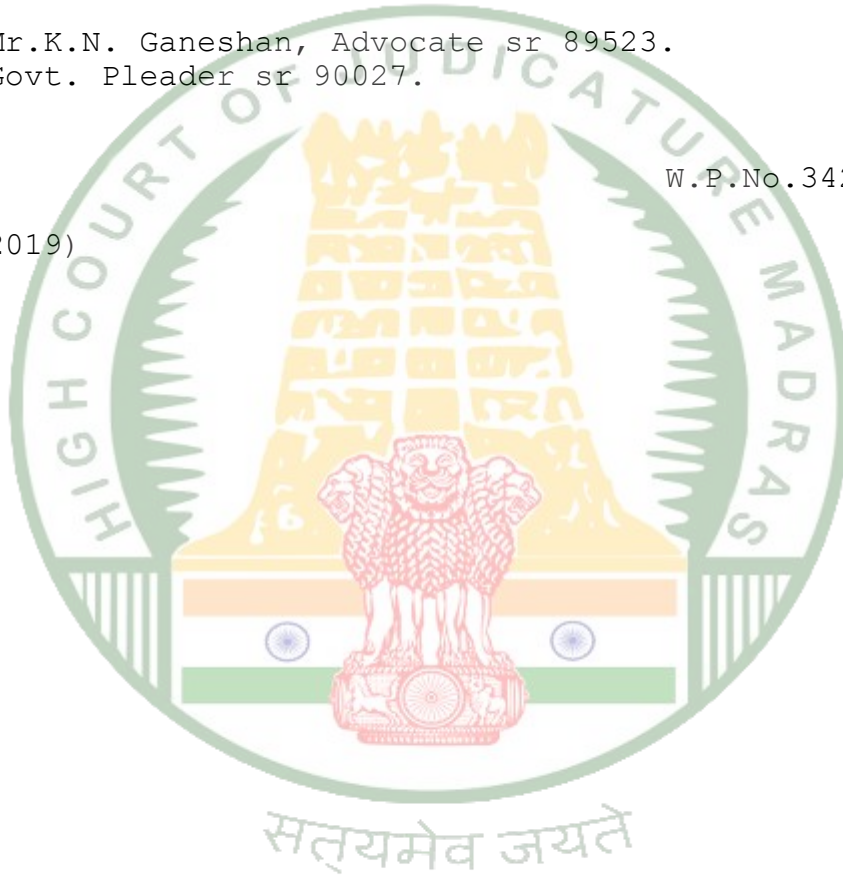
3.The Block Medical Officer,
Government Primary Health Centre,
Solakkadu, Kolli Hills,
Dharmapuri District.

+1 CC to Mr.K.N. Ganeshan, Advocate sr 89523.

+1 CC to Govt. Pleader sr 90027.

W.P.No.34240 of 2018

SP(10/01/2019)



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