



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.7959 of 2018

S.Nirmala

... Petitioner

Vs.

1. The Director,
Director of Medical and Rural Health
Services and Family Welfare,
Chennai-6.

2. The Deputy Director,
Deputy Director of Medical and
Rural Health Services and Family Welfare,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to transfer the petitioner from Deputy Director of Medical and Rural Health Services and Family Welfare, Tuticorin District to Tirunelveli District or any other nearest vacant place in the light of proposal forwarded by the second respondent in his proceedings in R.No.866/E1/2017 dated 26.03.2018 and by considering the petitioner's representation dated 26.03.2018 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for Mr.B.Senthil Kumar

For Respondents : Mr.K.Saravanan,
Government Advocate

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus directing the first respondent to transfer the petitioner from Deputy Director of Medical and Rural Health Services and Family Welfare, Tuticorin District to Tirunelveli District or any other nearest vacant place in the light of proposal forwarded by the second respondent in his proceedings in R.No.866/E1/2017 dated 26.03.2018 and by considering the petitioner's representation dated 26.03.2018.

<https://hcservices.ecourts.gov.in/hcservices> Heard Mr.C.Venkatesh Kumar, the learned counsel appearing for the petitioner and heard Mr.K.Saravanan, learned Government Advocate appearing for the respondents.



3.The grievance of the petitioner is that she seeks transfer from the office of the Deputy Director of Medical and Rural Health Service and Family Welfare, Tuticorin District to Tirunelveli or any other nearest vacant place. In this regard, the petitioner has sent a representation on 26.03.2018. However, the first respondent has not taken any action and no order has been passed so far, on such request of the petitioner, which was already forwarded to the second respondent. Therefore, the petitioner is before this Court.

4.I have heard Mr.C.Venkatesh Kumar, the learned counsel appearing for the petitioner and heard Mr.K.Saravanan, learned Government Advocate appearing for the respondents in this regard.

5.The learned Government Advocate appearing for the respondents would state that the request of the petitioner, as forwarded by the second respondent is to be considered by the first respondent and an order to that effect will be passed, considering the merits of the issue.

6.In view of the said submission made by the learned counsel appearing for both sides, there shall be a direction to the first respondent to consider the request of the petitioner, as forwarded by the second respondent by his proceedings dated 26.03.2018 for transfer from Tuticorin to Tirunelveli or any other nearest vacant place and pass orders thereon, on merits in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Director,
Director of Medical and Rural Health
Services and Family Welfare, Chennai-6.

2. The Deputy Director,
Deputy Director of Medical and
Rural Health Services and Family Welfare,
Tuticorin District.

+ 1 cc TO Mr.B.Senthil Kumar , Advocate in SR No. 61460
+ 1 cc TO The Special Government Pleader in SR No. 61495

rmi
AE/RSK/SAR4/27.04.2018/2P/5C