

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.893 of 2020

T.Vijila

.. Petitioner

- Vs -

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

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

3. The Director,
Director of Medical Education,
Poonamallee High Road, Kilpauk,
Chennai-10.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 05.12.2019 and transfer the petitioner from Government Kilpauk Medical College Hospital, Kilpauk, Chennai-10 to the Government Medical College Hospital, Kanyakumari or Pathmanathapuram Government General Hospital or Government Kulachal Government Hospital or Asaripallam Government Hospital or any one Government Hospital or any one Urban Primary Health Centers at Kanyakumari District which is nearest to the petitioner native place.

For Petitioner

: Mr.R.K.Gandhi

For Respondents

: Mr.A.Zakir Hussain

Government Advocate

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O R D E R

This writ petition has been filed for the issue of writ of Mandamus, directing the respondents to consider the representation made by the petitioner and to transfer her to any Government Hospital at Kanyakumari or nearby places.

2. The case of the petitioner is that she was appointed as a staff nurse in the year 2009 at the Primary Health Center at Cuddalore. Thereafter, her services were regularized by the second respondent in the year 2013 and she was posted at Government Kilpauk Medical College Hospital, Chennai.

3. The grievance of the petitioner is that she is physically disabled and her entire family is living at Kanyakumari District and every time, she has to travel 550 kms from Chennai and visit her husband and children, which causes mental agony to the petitioner. Therefore, the petitioner has made a representation dated 05.12.2019 to the respondents requesting for transfer to any hospital at Kanyakumari, Pathmanathapuram or Kulachal. Since the representation was not considered, the present writ petition has been filed before this Court.

4. Heard Mr.R.K.Gandhi, learned counsel appearing for the petitioner and Mr.A.Zakir Hussain, learned Government Advocate appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief, which has been sought for by the petitioner, there shall be a direction to the second respondent to consider the representation made by the petitioner on 05.12.2019 seeking for a voluntary transfer and deal with the same on its own merits and in accordance with law and pass appropriate order, within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the second respondent along with the copy of the representation dated 05.12.2019 and a copy of this order.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

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

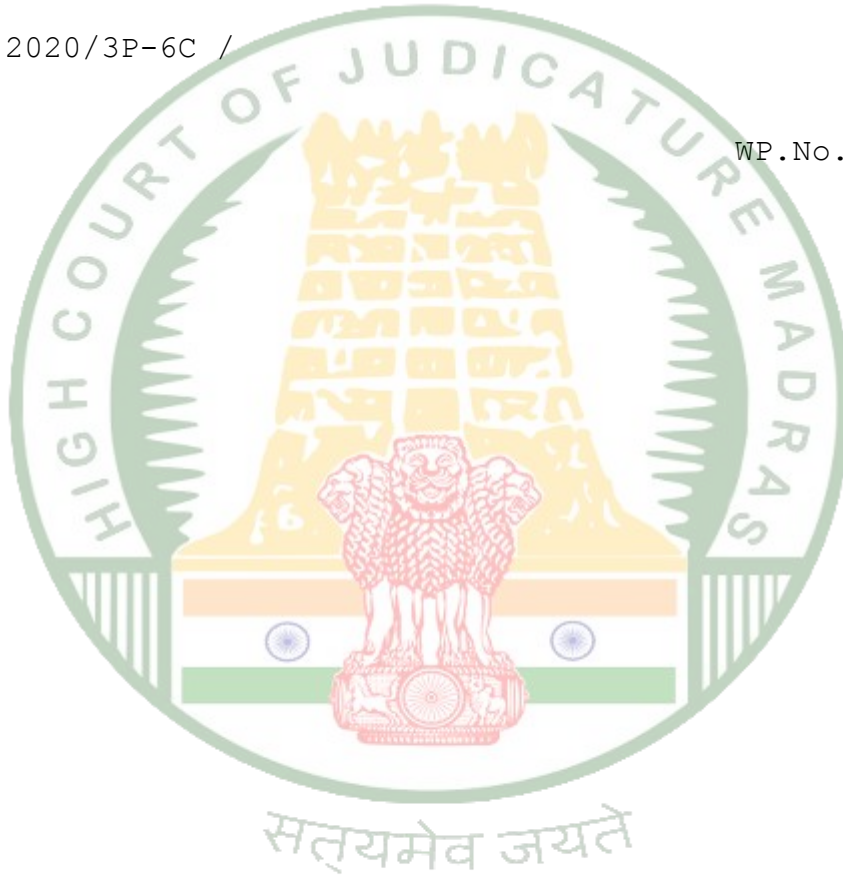
2. The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai-600 006.

3. The Director,
Director of Medical Education,
Poonamallee High Road, Kilpauk,
Chennai-10.

+1 cc to M/s.R.K.Gandhi, Advocate Sr.No.3409
+1 cc to The Government Pleader Sr.No. 3928

AKM/24.01.2020/3P-6C /

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