



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.11304 of 2020

(Through Video Conferencing)

WEB COPY

B.Bairose Kani

... Petitioner

Vs.

1.The Secretary to Government

Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

2.The Director of Medical and Rural Health Services,
Chennai.

3.The Director of Indian Medicine and Homeopathy
Chennai.

4.The District Siddha Medical Officer,
Virudhunagar.

5.The District Siddhar Medical Officer,
Thiruvannamalai

6.The Joint Director of Health Services,
Virudhunagar.

7.The Medical Officer,
Government Hospital
Sivakasi, Virudhunagar District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 3rd respondent to implement the order of transfer passed by the 2nd respondent in Ref.No.707/E2/2/2020-3 dated 23.01.2020 and thereby relieve the petitioner and allow her to join in 7th respondent Government Hospital as Junior Assistant.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.G.Arjunan
Government Advocate

ORDER

The prayer in the writ petition is for a writ of Mandamus to direct the 3rd respondent to implement the order of transfer passed by the 2nd respondent in Ref.No.707/E2/2/2020-3 dated 23.01.2020 and thereby relieve the petitioner and allow her to join in 7th



respondent Government Hospital as Junior Assistant.

2. The petitioner had been working as Junior Assistant in the respondent Department and she was working in that capacity at District Siddha Office, Thiruvannamalai and she has been transferred to Government Hospital, Sivakasi, Virudhunagar District by transfer and posting order dated 23.01.2020, which reads thus:

"On pending release from Director of Indian Medicine, Chennai, Tmt.B.Bairose Kani, Junior Assistant, District Siddha Office, Tiruvannamalai, is transferred and posted as Junior Assistant to Government Hospital, Sivakasi Virudhunagar District in the existing vacancy.

Note: 1. The date of relief and joining should be intimated.

2.The above individual is not eligible for TTA as the order is issued at her request.

T.S.Swathi Rethnavathi
Director of Medical and Rural Health Services"

3. Though such an order of transfer has been given on 23.01.2020, due to COVID-19 situation, the petitioner was not relieved at Tiruvannamalai. Therefore, the petitioner could not join at Sivakasi so far. Hence, in order to implement the order dated 23.01.2020, the present writ petition has been filed with the aforesaid prayer.

4. However, the learned Government Advocate appearing for the respondents, on instructions, would submit that, due to COVID situation, the petitioner could not be immediately relieved. However, yesterday, ie., on 09.09.2020, the petitioner has been relieved from Tiruvannamalai, enabling her to join the transferred place, namely, Sivakasi.

5. Since the learned Government Advocate, on instructions, has submitted the same, as the petitioner has been relieved, the prayer sought for in this writ petition is accomplished. Therefore, nothing survives to adjudicate further in this writ petition. Accordingly, recording the said submission of the learned Government Advocate, as stated above, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

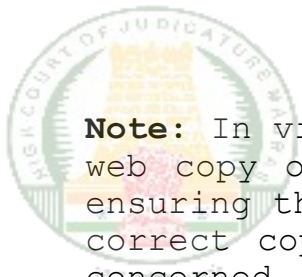
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Sub Assistant Registrar(CS)

RR

<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The Secretary to Government
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.
- 2.The Director of Medical and Rural Health Services,
Chennai.
- 3.The Director of Indian Medicine and Homeopathy
Chennai.
- 4.The District Siddha Medical Officer,
Virudhunagar.
- 5.The District Siddhar Medical Officer,
Thiruvannamalai
- 6.The Joint Director of Health Services,
Virudhunagar.
- 7.The Medical Officer,
Government Hospital
Sivakasi, Virudhunagar District.

+1 CC to M/s.T.S. MOHAMED MOHIDHEEN, Advocate (SR-16550[F] dated 10/09/2020)

W.P. (MD) No.11304 of 2020
10.09.2020

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SSS(CO)

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