



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)No.23583 of 2019

and

W.M.P(MD) .Nos.20215 and 22886 of 2019

R.Thilagavathy Jeyaraj

... Petitioner

Vs.

1.The State of Tamil Nadu,
rep., by its Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai 600 009.

2.The Director of Medical Education,
162, Poonamalle High Road,
Kilpauk, Chennai-600 010.

3.The Director of Medical and Rural
Health Services, Chennai 600 006.

4.The Secretary,
Tamil Nadu Government Nurses Association
Government Raja Mirasuthar Hospital
Tanjavur, Tanjavur District.

5.Valarmathy
The Secretary
Tamil Nadu Government Nurses Association,
Government Raja Mirasuthar Hospital,
Tanjavur, Tanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to accommodate the petitioner as Nursing Superintendent Grade II in the Government Rajaji Hospital, Madurai by way of transferring from the Government Hospital, T.Vadipatti, Madurai District in the existing available vacancy considering her severe health problems and further treatment for her survival.

For Petitioner
For Respondents

: Mr.S.Xavier Rajini
: Mr.M.Jeyakumar
Additional Government Pleader
(for R1 to R4)



ORDER

This writ petition has been filed to direct the respondents 1 to 3 to accommodate the petitioner as Nursing Superintendent Grade II in the Government Rajaji Hospital, Madurai by way of transferring from the Government Hospital, T.Vadipatti, Madurai District in the existing available vacancy considering her severe health problems and further treatment for her survival.

2.Though the petitioner has raised a several grounds to substantiate that the petitioner should be re-transferred to Government Rajaji Hospital, Madurai, the learned counsel for the petitioner would submit that he would be satisfied, if a direction is given to the respondents to consider petitioner's representation, wherein she has sought for a transfer to Government Rajaji Hospital.

3.In view of the above submission made, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 23.09.2019, on its own merits and in accordance with law, in any event, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the petitioner's right to claim a transfer and it is for the second respondent to consider it in accordance with law.

4. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

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

2.The Director of Medical Education,
162, Poonamalle High Road,
Kilpauk, Chennai-600 010.



3.The Director of Medical and Rural
Health Services, Chennai 600 006.

4.The Secretary,
Tamil Nadu Government Nurses Association
Government Raja Mirasuthar Hospital
Tanjavur, Tanjavur District.

+1 CC to M/s.S.XAVIER RAJINI, Advocate (SR-242[F] dated
03/01/2020)

+1 CC to M/s.SPL.GP (SR-280[F] dated 06/01/2020)

W.P(MD)No.23583 of 2019
03.01.2020

kg(CO)
TR(13.01.2020) 3P 7C