

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2021

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No.9054 of 2021

R.Kanthari

... Petitioner

Vs.

1. The Secretary to Government,
Health & Family Welfare Department,
Fort St George, Chennai - 9.
2. The Director of Public Health &
Preventive Medicine,
Chennai - 6.
3. The Director of Medical & Rural Health Services,
Chennai - 6.
4. The Director of Medical Education,
Kilpauk, Chennai - 10.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India praying to issue a writ of mandamus, directing the respondents to consider the representation of the petitioner dated 25.02.2021 for a transfer to any one of the hospitals in Tuticorin District.

For Petitioner : Mr.K.Venkatramani, SC
for Mr.Alagu Goutham

For Respondents : Mr.P.Karthikeyan,
Additional Government Pleader for R1 to R3

Mr.Karthikai Balan,
Government Advocate for R4.

O R D E R

Mr.P.Karthikeyan, learned Additional Government Pleader takes notice on behalf of respondents 1 to 3. Mr.Karthikai Balan, learned Government Advocate takes notice on behalf of

fourth respondent. By consent, the Writ Petition is taken up for final disposal.

2. The petitioner has made a representation dated 25.02.2021 seeking transfer to any one of the hospitals in Tuticorin District. Even though the representation has been made, the respondent have not disposed of the same. Hence the writ petition.

3. It is well settled that transfer is an incident of service. However when a request is made it is incumbent on the authorities to take a decision on the matter. The representation made shall not be kept under cold storage. The competent authority has the power to take a decision either to accept or to reject it.

4. Considering the limited prayer, a direction is given to the respondents to consider the representation of the petitioner dated 25.02.2021 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Secretary to Government,
Health & Family Welfare Department,
Fort St George, Chennai - 9.
2. The Director of Public Health &
Preventive Medicine,
Chennai - 6.
3. The Director of Medical & Rural Health Services,
Chennai - 6.
4. The Director of Medical Education,
Kilpauk, Chennai - 10.

+2ccs to Mr.M.Muthappan, Advocate, S.R.No.22728.
+1cc to the Government Pleader, S.R.No.22791.

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SV(CO)
CSR 20.04.2021



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