



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.25576 of 2018

and W.M.P. (MD) Nos.23185 to 23187 of 2018

(Through Video Conference)

WEB COPY

Maria Janaki

... Petitioner

Vs

1. The Director,
Directorate of Medical Education,
Kilpauk, Chennai 600 010

2. The Director,
Directorate of Medical and Rural
Health Services,
Chennai 600 005

3. The Dean,
Stanley Medical College,
Chennai.

4. The Dean,
Tirunelveli Medical College,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to transfer and accommodate the petitioner in the forthcoming vacancy in the post of Office Superintendent in the 4th respondent Hospital.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.M.Muniyasamy,
Additional Government Pleader

O R D E R

The prayer in the present writ petition seeking for a direction to the first respondent to transfer the petitioner and accommodate her in any other vacancy under the fourth respondent Hospital, cannot be sustained, since the transfer of post cannot be claimed as a matter of choice or right. The transfer is incidental to service, more so, a condition of service. Such decisions to transfer are administrative prerogatives of the Government and cannot be used as a right by the employees to have



2. Hence, there are no merits in the prayer sought for in the writ petition. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

To:

1. The Director,
Directorate of Medical Education,
Kilpauk, Chennai 600 010
2. The Director,
Directorate of Medical and Rural
Health Services,
Chennai 600 005
3. The Dean,
Stanley Medical College, Chennai.
4. The Dean,
Tirunelveli Medical College,
Tirunelveli.

Order made in
W.P. (MD)No.25576 of 2018

Dated:
25.01.2021

KM (02.03.2021) 2P 5C