



WEB COPY



W.P.No.14099 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

THE HONOURABLE Mr. JUSTICE D.KRISHNAKUMAR

W.P.No.14099 of 2022
and WMP.Nos.13328 & 13329 of 2022

A.Mary Justin Vimala

.. Petitioner

Vs.

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

2.The Director
Director of Medical Education
Poonamallee High Road, Kilpauk
Chennai – 600 006.

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order viz., Ref.No.82780/N3/2019 dated 12.04.2022, issued by the second respondent and quash the same and consequently direct the second respondent to post the petitioner in Government Medical College Hospital at Kanyakumari.



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For Petitioner : Mr.R.K.Gandhi
For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

The writ petition is filed to quash the proceedings of the second respondent viz., Ref.No.82780/N3/2019 dated 12.04.2022, and to post the petitioner in Government Medical College Hospital at Kanyakumari.

2. The case of the petitioner is that she has been posted as Nursing Superintendent at Government Hospital, Muthukulathur, Ramanathapuram District. Her native is Kanyakumari and her family resides at Kanyakumari District. The petitioner is stated to be suffering from Cancer disease and the doctors had advised her to take treatment at Cancer Special Care Unit at Government Medical College Hospital, Kanyakumari. Hence, she has submitted a representation, following which, her request was considered and a diversion order came to be passed on 15.10.2019. Ever since, the petitioner is working in Government Medical College Hospital, Kanyakumari for more than two years. Now, the second respondent has issued the impugned order dated



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12.04.2022, cancelling her diversion order dated 15.10.2019.

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3. The petitioner submits that due to her ill health, she could not travel such a long distance and she wanted her to be retained at Kanyakumari. She has submitted a representation dated 23.04.2022, seeking to reconsider the cancellation of diversion order issued by the second respondent on 12.04.2022.

4. Taking into account the request of the petitioner, the respondents are directed to consider the representation of the petitioner dated 23.04.2022, in accordance with law, subject to the availability of vacancies of the said posts in the Government Hospitals at Kanyakumari District or in the nearby Districts, and pass appropriate orders as early as possible. No costs. Consequently, connected miscellaneous petitions are closed.

28.06.2022

ds

Speaking Order/Non-speaking Order
Index : Yes / No



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D.KRISHNAKUMAR,J

ds

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