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W.P.No.29251 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29251 of 2022

M. Thanalaksmi

... Petitioner

Vs.

- 1.The Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai – 9.
- 2.The Director of Medical Education,
Kilpauk, Chennai – 10.
- 3.The Director of Medical & Rural Health Services,
Teynampet, Chennai – 6.
- 4.The Director of Public Health & Preventive Medicine,
Chennai – 6.
- 5.The Commissioner,
Directorate of Indian Medical & Homeopathy,
Arumbakkam, Chennai – 16.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents to consider the claim of the petitioner for a transfer to any one of the hospitals in Tuticorin in the light of the representation made by the petitioner dated 27.04.2022 within a reasonable time.



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For Petitioner : Mr.M. Muthappan

For Respondents : Mr.T. Chezhiyan,
Additional Government Pleader

ORDER

This Writ petition has been filed for a mandamus seeking for a direction to the respondents to transfer the petitioner to any one of the hospitals in Tuticorin, based on her representation dated 27.04.2022, within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner. Mr.T. Chezhiyan, learned Additional Government Pleader, accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims that she is having a physically challenged child who is aged 10 years. She is presently working as regular nurse in Tirunelveli Hospital and her husband is in Tuticorin. She has also given her second representation on 27.04.2022, requesting the respondents to transfer her to Tuticorin for the aforementioned reasons. Since her representation has not been considered till date, she has filed this Writ Petition.



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4. No prejudice will be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 27.04.2022 seeking for her transfer to any one of the hospitals in Tuticorin, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition is disposed of. No costs.

07.11.2022

Speaking/Non-speaking Order
Index: Yes/No

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ABDUL QUDDHOSE,J.

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To

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