



W.P.No.30174 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30174 of 2022
and W.M.P.No.29609 of 2022

Dr.B.R. Dheenadayaalan

.. Petitioner

Vs.

1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St. George, Chennai – 600 009.

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

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the impugned order passed by the 2nd respondent in Ref.No.93653/E3/1/2021 dated 06.06.2022 and quash the same and consequently direct the 2nd respondent to restore the petitioner to his earlier position as the Assistant Resident Medical Officer in the Chengalpattu Medical College Hospital.

For Petitioner : Mr.L. Chandrakumar,
for Mr.J. Vinoth

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



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ORDER

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This Writ petition has been filed challenging the impugned transfer order dated 06.06.2022 issued to the petitioner by the second respondent.

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 has been transferred from Chengalpattu Medical College & Hospital to Government Mohan Kumaramangalam Medical College Hospital, Salem.

4. It is now represented by the learned counsel for the petitioner that subsequent to the impugned transfer order, the petitioner has joined duty at Salem. However, he would submit that due to the petitioner's medical condition, he is unable to work at Salem and therefore, he has given representations dated 14.10.2022 and 17.10.2022, requesting for re-transferring him to Chengalpattu Medical College & Hospital, pursuant to an invitation issued by the respondents with regard to the vacancy of Assistant Resident Medical



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Officer at Chengalpattu. The learned counsel for the petitioner would further submit that the petitioner would be satisfied if the aforementioned representations are considered by the respondents on merits and in accordance with law, within a time frame to be fixed by this Court.

5. No prejudice will be caused to the respondents, if such a direction is issued by this Court.

6. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representations dated 14.10.2022 and 17.10.2022, requesting for re-transferring him to Chengalpattu Medical College & Hospital as the Assistant Resident Medical Officer, on merits and in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

15.11.2022

Index: Yes/No

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ABDUL QUDDHOSE,J.

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To

- 1.The Secretary to the Government,
Health and Family Welfare Department,
Fort St. George, Chennai – 600 009.
- 2.The Director,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010.

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