



WEB COPY



W.P.No.32141 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32141 of 2022

K.Jayanthi

... Petitioner

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary,
Higher Education Department,
Secretariat, Chennai - 600 009.

2.The State of Tamilnadu,
Rep. by its Secretary,
Social Welfare Department,
Secretariat, Chennai - 600 009.

3.The Director,
Integrated Child Development Scheme,
Tharamani, Chennai - 600 113.

4.The Registrar,
Annamalai University,
Annamalai Nagar, Chidambaram.

5.The State Commissioner,
Welfare of the Differently abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai - 600 005.

... Respondents



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PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to re-post the petitioner in the fourth respondent University considering that she is a heart patient within a time frame to be fixed by this Court.

For Petitioner : Mr.K.C.Karl Marx

For Respondents : Mr.V.Manoharan
Additional Advocate General
for R1

Mr.S.Arumugam
for R2, R3 and R5

Ms.H.Marysowmi Rexi
for Mr.P.Godson Swaminath
Standing Counsel for R4

ORDER

The grievance of the petitioner in this Writ Petition is that, on account of her medical ailments and her age, she has to be transferred back to her original place of posting at Chidambaram.

2. The petitioner has been sent on deputation on various occasions to various places. The petitioner contends that due to her medical ailments and



her age, she has to be posted back to her original place of posting viz., Annamalai University, Annamalai Nagar, Chidambaram. The petitioner has given representations for the aforementioned purpose to the respondents and since those representations have not been considered, she has filed this Writ Petition.

3. Learned counsel for the petitioner has now submitted, on instructions, that the petitioner is willing to give a fresh representation to the first respondent, who will have to pass final orders on the petitioner's representation.

4. No prejudice would be caused to the respondents, if the petitioner is allowed to give a fresh representation to the first respondent, requesting for re-transferring her back to her original place of posting viz., Annamalai University, Annamalai Nagar, Chidambaram of to any other nearby place, considering her medical ailments and her age and a direction is issued to the first respondent to pass final orders, on merits and in accordance with law, on the said representation, within a time frame to be fixed by this Court.



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5. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the first respondent, requesting the first respondent to transfer her back to the original place of posting viz., Annamalai University, Annamalai Nagar, Chidambaram or to a nearby place on account of her medical ailments and her age, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent shall pass final orders, on merits and in accordance with law, within a period of eight weeks thereafter.

6. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

02.12.2022

Index : Yes/No
Speaking Order : Yes / No
ab



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ABDUL QUDDHOSE. J.,

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