



WP(MD)No.12402 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12402 of 2022
and
W.M.P.(MD)No.8804 of 2022

V.K.Anand

... Petitioner

/vs./

- 1.The Director of Public Health,
Preventive Medicine,
DMS Complex,
Theynampettai,
Chennai – 600 006.
- 2.The District Collector,
Collectorate Complex,
Thoothukudi.
- 3.The Deputy Director,
Office of the Deputy Director (Health),
Shanmuganagar,
Kovilpatti,
Thoothukudi District.
- 4.The Block Medical Officer,
Keelairai Block,
Keelairai,



WP(MD)No.12402 of 2022

WEB COPY

Ettayapuram Thaluk,
Thoothukudi District.

5.G.Raja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the 1st respondent's proceedings in Na.Ka.No.2475082/Patho5/A1/2022 dated 22/05/2022 and quash the same as illegal and directing the respondents No.1-4 to post the petitioner in the 4th respondent's Primary Health Centre situated at Keelarial.

For Petitioner : Mr.T.Kumar

For Respondents : Mrs.D.Farjana Ghoushia (R1 to R4)
Special Government Pleader

ORDER

The order of transfer, which is impugned in the present writ petition is transfer on administrative grounds.

2.This Court, in various decisions, has held that the powers under Article 226 of the Constitution of India will not be invoked to interfere with an order of transfer, which is made on administrative grounds.



WP(MD)No.12402 of 2022

WEB COPY

3. Furthermore, the place, from which the petitioner was transferred through the impugned order, has already been filled up by one Dr. Ezhil Indian, Assistant Surgeon, on 27.05.2022. At this stage, it could not be appropriate to interfere with the service of the incumbent, who had occupied the petitioner's post, without giving him an opportunity. On this ground also, the transfer order does not require interference. This Writ Petition stands closed accordingly. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

27.06.2022

Index : Yes / No
Internet : Yes / No
sm



WEB COPY



WP(MD)No.12402 of 2022

M.S.RAMESH, J.

Sm

TO:

- 1.The Director of Public Health,
Preventive Medicine,
DMS Complex, Theynampettai,
Chennai – 600 006.
- 2.The District Collector,
Collectorate Complex, Thoothukudi.
- 3.The Deputy Director,
Office of the Deputy Director (Health),
Shanmuganagar,
Kovilpatti, Thoothukudi District.
- 4.The Block Medical Officer,
Keelairai Block, Keelairai,
Ettayapuram Taluk,
Thoothukudi District.

Order made in
W.P.(MD)No.12402 of 2022

Dated:
27.06.2022