



W.P.(MD)No.12567 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.12567 of 2024

Gracy

... Petitioner

Vs.

The Director,
Public Health and Preventive Medicine Department,
DMSS Complex,
Tenampet,
Chennai-6.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 07.05.2024 to transfer and post the petitioner as Sector Health Nurse at Kosavapatti Primary Health Centre in Dindigul District within the time frame fixed by this Court.

For Petitioner : Mr.A.Srinivasan

For R-1 to R-3 : Mr.N.Ramesh Arumugam,
Government Advocate



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ORDER

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Heard Mr.A.Sreenivasan, learned counsel appearing for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondent.

2. This Writ Petition has been filed seeking direction to the respondent to consider the petitioner's representation dated 07.05.2024 to transfer and post the petitioner as 'Sector Health Nurse' at Kosavapatti Primary Health Centre in Dindigul District within the time frame fixed by this Court.

3. The petitioner is working as Sector Health Nurse at Sengurichi Primary Health Centre, Sanarpatti Block, Dindigul. Since she has to take care of her husband and mother-in-law, she finds very difficult to travel from her residence to the above said place. Hence, she made a representation to the respondent on 07.05.2024 seeking transfer to Kosapatti Primary Health Centre. Since the representation has not been considered so far, she has filed this Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or



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other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondent is required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above, this Writ Petition is **disposed of** with a direction to the respondent to consider the petitioner's representation dated 07.05.2024 on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondent to consider the same on its own merits. No costs.

13.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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R.N.MANJULA, J.

TSG

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