



W.P.(MD).No.21694 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21694 of 2024

and

W.M.P(MD) No.18327 of 2024

JN.Paul Raj

... Petitioner

Vs.

1. The State of Tamil Nadu

Represented by its Principal Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.

2. The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
DMS Campus, Teynampet,
Chennai – 600 006.

3. Kannan,
Assistant,
Government Hospital,
Kadayanallur, Tenkasi District.

4. Janaki
Assistant,
Government District Head Quarters Hospital,
Pollachi,
Comibatore District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the second respondent to follow the norms prescribed in the G.O (2D) No.131 Health and Family Welfare (A1) Department dated 20.11.2007 in conducting the counselling for transfer and to post the petitioner as Assistant in Shengottai Government Hospital, Tenkasi District as per his seniority.

For Petitioner : Mr.M.Saravanakumar
For R1 and R2 : Mr.S.S.Madhavan
Government Advocate

ORDER

The instant writ petition has been filed by an Assistant, working in the office of the Deputy Director of Medical Services (Leprosy), seeking a Mandamus to direct the second respondent to follow G.O. 2(D) No. 131, Health and Family Welfare (A1) Department, dated 20.11.2007 in conducting transfer counselling.

2. The transfer counselling has already been conducted on 14.08.2024 and it is the grievance of the writ petitioner that in violation of said Government Order, transfer orders have been issued to the fourth respondent in the writ petition.



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3. In case, if the petitioner is aggrieved by the conduct of the transfer counselling, in violation of the above said Government Order, it is for the petitioner to challenge the specific orders. The question of issuing a Mandamus to follow a particular Government Order does not arise. In view of the fact that the authorities are duty bound to follow the said Government Order, no further orders are called for.

4. In view of the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

12.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Principal Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.
2. The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
DMS Campus, Teynampet,
Chennai – 600 006.



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