



W.P.(MD).No.31225 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 02.01.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD).No.31225 of 2023**

N.Shanthi

... 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, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 12.12.2023 to transfer and post the petitioner as Sector Health Nurse at Kannivadi Primary Health centre or at Kosavapatti Primary Health Centre in Dindigul district within the time frame fixed by this Court.

For Petitioner : Mr. A. Srinivasan

For respondent : Mr.M.Siddharthan  
Special Government Pleader



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## **ORDER**

The present writ petition has been filed seeking a direction to the respondent to consider the petitioner's representation, dated 12.12.2023 to transfer and post the petitioner as Sector Health Nurse at Kannivadi Primary Health centre or at Kosavapatti Primary Health Centre in Dindigul district within the time frame fixed by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner, the learned Special Government Pleader for the respondent. Perused the materials on record.

4.The petitioner is working as Sector Health Nurse at Chinatharapuum, Primary Health Centre, Karur. She is aged about 58 years and she is a widow and her present work place is 60 kms away from her residence. She is suffering from health ailments and in addition to that she has responsibility to take care of her mother, who is aged about 80 years, who



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requires personal attention. Hence, she made a representation to the respondent on 12.12.2023 to transfer the petitioner to Kannivadi Primary Health Centre or at Kosavapatti Primary Health Centre in Dindigul District. Since the same was not considered, this petition came to be filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory 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 other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

6. In view of the same, without going into the merits of this case, this Court hereby direct the respondent to consider the representation of the petitioner, dated 12.12.2023 and pass orders in accordance with law, within a period of eight (8) weeks, from the date of receipt of a copy of this order.



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7. Accordingly, this writ petition stands disposed of. There shall be

no order as to costs.

**02.01.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
**PNM**

To

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



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**L.VICTORIA GOWRI, J.**

PNM

**ORDER IN**  
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**02.01.2024**