

W.P.No.23261 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.06.2025

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23261 of 2025 and W.M.P Nos.26128 & 26131 of 2025

A.Manimehala

... Petitioner

-VS-

1. The Secretary
Health and Family Welfare Department
Fort St. George
Chennai-09.
2. The Director
Directorate of Medical Education
Poonamallee High Road, Kilpauk
Chennai-600 010.
3. The Director
Medical and Rural Health Services
D.M.S Campus
Teynampet,
Chennai-600 006.
4. The Director
Institute of Social Obstetrics and
Government Kasturba Gandhi Hospital
Chennai.
5. The Joint Director of
Medical and Rural Health Services
Virudhunagar.



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6. The Medical Officer
Government Hospital
Sivakasi, Virudhunagar.

7. Accounts Officer
Government Hospital
Sivakasi, Virudhunagar.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records in respect of impugned order vide Ref.No.13028/N2/2/2025 dated 16.06.2025 issued by the 3rd respondent, quash the same and direct the 3rd respondent to transfer from the Government Kasturba Gandhi Hospital, Chennai to Government Hospital, Sivakasi, Virudhunagar District, at present, the petitioner is working on Diversion duty.

For Petitioner : M/s.P.Anuradha

For R1 to R7 : Mr.K.Tippu Sultan
Government Advocate

ORDER

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order vide



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Ref.No.13028/N2/2/2025 dated 16.06.2025 issued by the 3rd respondent, and

quash the same, and direct the 3rd respondent to transfer the petitioner from the Government Kasturba Gandhi Hospital, Chennai to Government Hospital, Sivakasi, Virudhunagar District.

2. The learned Senior Counsel for the petitioner would submit that the petitioner is working as a staff nurse on Diversion duty at the Government Hospital, Sivakasi, Virudhunagar District. The learned counsel would further submit that the petitioner's children are studying in Sivakasi and that she has to take care of her aged in-laws, who are facing difficulties due to their advanced age. It is the submission of the learned counsel for the petitioner that in view of the order of the third respondent dated 16.06.2025, the petitioner was forced to join her original post at Chennai. In view of the same, it would seriously affect the health and well-being of her in-laws and disrupt the education of her children.

3. At this juncture, the learned Government Advocate appearing for the respondents 1 to 7 would submit that the order passed by

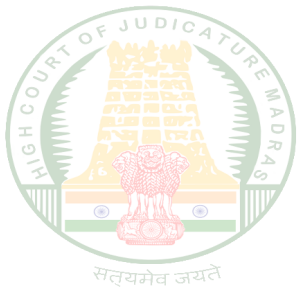


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the third respondent is on the administrative ground, after taking into consideration of all circumstances. However, he would submit that if any representation comes, they would consider the same within a reasonable time.

4. I have given my anxious consideration to either side submissions.

5. On perusal of the records, the third respondent has passed an administrative order cancelling the diversion duty. The petitioner challenged the said order, due to her personal inconvenience which cannot be gone into under Article 226 in a writ proceedings. However, taking into consideration of the petitioner's family situation, while dismissing this writ petition, this Court deems it appropriate to give liberty to the petitioner to approach the third respondent by giving a representation.



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6. In such view of the matter, the present writ petition is dismissed. However, the petitioner is given liberty to approach the third respondent by giving a representation within a period of one week from the date of receipt of a copy of this order. If any representation is received from the petitioner within such period, the third respondent is directed to dispose of the same according to its own merits and in accordance with law, within a further period of four (4) weeks. No costs. Consequently, connected miscellaneous petitions are closed.

27.06.2025

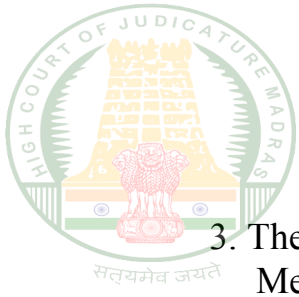
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To:

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Health and Family Welfare Department
Fort St. George
Chennai-09.

2. The Director
Directorate of Medical Education
Poonamallee High Road, Kilpauk
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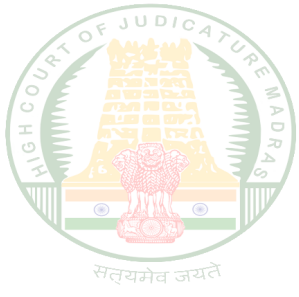
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