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W.P.No.24427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.24427 of 2025

and

W.M.P.Nos.27506 and 27507 of 2025

S.Sasikala

... Petitioner

Vs.

1.The Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai – 09.

2.The Director,
Medical and Rural Health Services,
D.M.S.Campus,
Teynampet, Chennai – 600 006.

3.The Joint Director of
Medical and Rural Health Services,
Virudhunagar.

4.Medical Officer,
Government Head Quarters Hospital,
Aruppukkotti, Virudhunagar District.

5.Medical Officer,
Government Head Quarters Hospital,
Erode.

6.The Junior Administrative Officer,



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Government Headquarters Hospital,
Aruppukottai, Virudhunagar District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in respect of the Ref.No.13028/N2/2/2025 on 16.06.2025 impugned order issued by the 2nd respondent, with regard to the petitioner in serial No.15 alone and quash the same as illegal and direct the 2nd respondent to transfer from Government Head Quarters Hospital, Erode & District to Government Head Quarters Hospital, Aruppukottai, Virudhunagar District, at present the petitioner is working on Diversion duty.

For Petitioner : M/s.P.Anuradha

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

The instant writ petition has been filed with a prayer for issuing a certiorarified Mandamus, to call for the records in respect of the Ref.No.13028/N2/2/2025 on 16.06.2025 impugned order issued by the 2nd respondent, with regard to the petitioner in serial No.15 alone and quash the same as illegal and direct the 2nd respondent to transfer from Government Head Quarters Hospital, Erode & District to Government Head Quarters



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Hospital, Arupukottai, Virudhunagar District, at present the petitioner is working on Diversion duty.

2. The learned counsel for the petitioner would submit that she was working in the Government Head Quarters Hospital, Erode District. He further submits that her husband is suffering from a seizure disorder and has been undergoing continuous treatment for the past ten years. If the diversion order is canceled in view of her husband's medical condition, the children may not have any parental support and guidance. Hence, she prays for interfere with the diversion order.

3. At this juncture, the learned Government Advocate appearing for the Respondents would submit that Accountant General has raised an objection in respect of the diversion order and would further submit that as per Rule Diversion could be placed for a period of one year and further retention on diversion beyond the period of one year is in contravention of Rules. Hence, only based upon the Accountant General's objections, he has cancelled the diversion duty.



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4. Heard the learned counsel for both sides and perused the materials available on record.

5. Any transfer or diversion or deputation should be in accordance with applicable rules. Admittedly, the petitioner's diversion order was cancelled on the basis of Accountant General's objections that the Rule does not permit for continuation beyond the period of one year.

6. At this juncture, the petitioner has raised so many family commitments. While sitting under Article 226 of the Constitution of India, this Court cannot go into all these things, which is nothing but micro managing the duty of the authorities, which is not permissible. In this connection, the petitioner has already given a representation dated 27.06.2025 to the respondents, and the same is yet to be considered by them.

7. In such view of the submission, this Court does not find any merits in this writ petition and also would like to give direction to the 2nd respondent to consider the petitioner's representation dated 27.06.2025 and pass orders



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on its own merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

8. In result, this writ petition is dismissed with the above direction. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

07.07.2025

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Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No



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C.KUMARAPPAN, J.

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