



W.P.No.24420 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.24420 of 2025

and

W.M.P.Nos.27494 and 27497 of 2025

S.Diwan Beevi

... 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
Health Services,
Erode District.

4.The Joint Director of Health Services,
Tirunelveli District.

5.The Administrative Officer,
Government Hospital,
Nanguneri, Tirunelveli District.



W.P.No.24420 of 2025

WEB COPY

6. Station Nadal Officer,
Government Hospital,
Nanganeri, Tirunelveli.

7. Nodel Officer,
State Quality Assurance Unit,
DMS Campus, Teynampet,
Chennai – 06.

8. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhavan,
New Delhi – 110 011.

... 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.7 alone and quash the same as illegal and direct the 2nd respondent to transfer from Government Head Quarters Hospital, Erode, Erode District to Government Hospital, Nanganeri, Tirunelveli District, at present the petitioner is working on Diversion duty.

For Petitioner : M/s.P.Anuradha

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



W.P.No.24420 of 2025

WEB COPY

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.7 alone and quash the same as illegal and direct the 2nd respondent to transfer from Government Head Quarters Hospital, Erode, Erode District to Government Hospital, Nanguneri, Tirunelveli District, at present the petitioner is working on Diversion duty.

2. The learned counsel for the petitioner would submit that her place of post was Erode. However, on her request she was diverted to work at Nanguneri, Tirunelveli District. It is the submission of the petitioner that her husband is working at ISRO Propulsion Complex, Mahendragiri on a contract basis and there is also responsibility for the petitioner to take care of her in-laws. Hence, on account of the above commitments, her immediate shift to Erode would have great impact upon her family responsibilities. Hence, prays for interfere with the impugned order dated 16.06.2025.



W.P.No.24420 of 2025

WEB COPY

3. At this juncture, the learned Government Advocate appearing for the R1 to R7 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.

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,



W.P.No.24420 of 2025

WEB COPY

this Court cannot go into all these things, which is nothing but micro managing 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 do 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 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.

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

07.07.2025

jas

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No



W.P.No.24420 of 2025

To
WEB COPY

- 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
Health Services,
Erode District.
- 4.The Joint Director of Health Services,
Tirunelveli District.
- 5.The Administrative Officer,
Government Hospital,
Nanguneri, Tirunelveli District.
- 6.Station Nadal Officer,
Government Hospital,
Nanganeri, Tirunelveli.
- 7.Nodel Officer,
State Quality Assurance Unit,
DMS Campus, Teynampet,
Chennai – 06.
- 8.The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhavan,
New Delhi – 110 011.



WEB COPY



W.P.No.24420 of 2025

C.KUMARAPPAN, J.

jas

W.P.No.24420 of 2025
and
W.M.P.Nos.27494 and 27497 of 2025

07.07.2025