



W.P.(MD).No.15369 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15369 of 2025

P.Ramesh

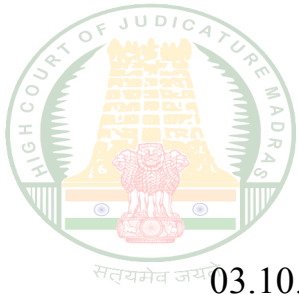
... Petitioner

-VS-

1. The Director of Medical Education,
Directorate of Medical Education and Research,
Kilpauk, Chennai - 600010.
2. The Director of Medical And Rural Service,
Office of the Medical and Rural Service,
Chennai - 600006.
3. The Chief Medical Officer,
Government Hospital,
Udumalaipettai,
Thirupur District.
4. The Dean,
Government Medical College Hospital,
Virudhunagar.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 4th respondent to permit the petitioner to join in duty as Grade II Electrician at the Government Medical College Hospital, Virudhunagar, pursuant to the transfer order issued by the 1st respondent through his proceedings in Ref. No. 93278/E5/4/2023 dated



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03.10.2023 and consequential relieving order issued by the 3rd respondent through his letter in Ref. No. 810/E/2024 dated 04.04.2025 and consequently direct the 4th respondent to pay salary and extend all service benefits from the date of his intended joining date of 09.04.2025.

For Petitioner : Mr.N.Thamimulansari

For Respondents : Mr.M.Siddharthan

Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 4th respondent to permit the petitioner to join duty as Grade II Electrician at Government Medical College Hospital, Virudhunagar, pursuant to the transfer order issued by the 1st respondent vide proceedings dated 03.10.2023 in Ref. No. 93278/E5/4/2023 and consequential relieving order issued by the 3rd respondent dated 04.04.2025 vide Ref. No. 810/E/2024 and consequently direct the 4th respondent to pay salary and extend all service benefits from the date of his intended joining date of 09.04.2025.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

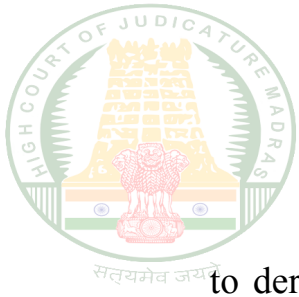


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3. The petitioner was appointed as Electrician Grade-II at Government hospital, Aruppukottai, on 09.06.2009 and thereafter, at Udumalaipettai from 13.02.2013. Since the petitioner planned for his daughter's marriage, he requested for transfer to Virudhunagar District and the first respondent also issued transfer order on 03.10.2023. However, he was not allowed to join the newly transferred place. The second respondent also sent a letter to the third respondent to issue relieving order to the petitioner on 04.04.2025. Initially, the petitioner was permitted to report for duty at the newly transferred place. However, the fourth respondent refused to accept the joining of the petitioner citing the reason that the transfer order was not received by the office. Hence, the petitioner made a representation dated 10.04.2025 to the first respondent. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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 him 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



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to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 10.04.2025, on its own merits and pass appropriate orders in accordance with law, within a period of one month from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

06.06.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
06.06.2025