



W.P.(MD)No.18329 & 19283 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.18329 & 19283 of 2025

and

W.M.P.(MD) No.14045, 14047 & 14800 of 2025

Selvanayagi	: Petitioner in WP(MD)No.18329/2025
Rajeswari	: Petitioner in WP(MD)No.19283/2025

Vs.

1. The Director of Medical Education and Research,
Kilpauk,
Chennai 600 010.
2. The Director of Medical And Rural Health Services,
Chennai 600 006.
3. The Dean,
Raja Mirasudar Government Hospital,
Thanjavur.
4. The Joint Director of Health Services,
Pudukkottai,
Pudukkottai District.
5. The Chief Medical Officer,
Government Hospital Karambakudi,
Pudukkottai District.
6. Rajeswari : Respondents in WP(MD)No.18329/2025



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WEB CO (R6 is impleaded vide Court order dated 14.07.2025 in WMP(MD)No. 14671 of 2025.)

1. The Director of Medical Education and Research,
Chennai - 6.
2. The Director of Medical And Rural Health Services,
Chennai-6.
3. The Director of Public Health and Preventive Medicine,
Chennai - 6.
4. The Dean,
Raja Mirasudar Government Hospital,
Thanjavur District.
5. The Chief Medical Officer,
Government Primary Health Centre,
Konulampallam,
Thanjavur District.
6. Selvanayagi : Respondents in WP(MD)No.19283/2025

PRAYER in WP(MD)No.18329/2025: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Ref.No.41297/E5/1/2025 dated 20.05.2025 by the 1st respondent, quash the same as illegal and consequently direct the respondents to permit the petitioner to join service at Raja Mirasudar Government Hospital, Thanjavur in compliance with the transfer order dated 09.05.2025 issued by the 1st respondent.

PRAYER in WP(MD)No.19283/2025: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus,



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directing the 3rd respondent to issue relieving order to the petitioner relieving her from the 5th respondent Primary Health Centre so as to enable to join duty as Radiographer in the 4th respondent hospital in pursuant to the transfer and posting order issued by the 1st respondent dated 09.04.2025 by considering the representation of the petitioner dated 19.05.2025 within a time limit as may be stipulated by this Court.

Appearance in WP(MD)No.18329/2025:

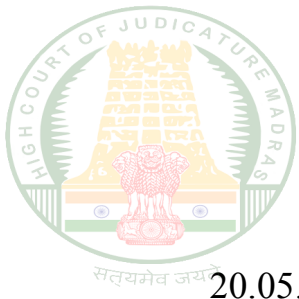
For Petitioner : Mr.B.Prasanna Vinoth
For Respondents : Mr.K.Balasubramani (R1 to R5)
Special Government Pleader
Mr.K.Jeyamohan (R6)

Appearance in WP(MD)No.19283/2025:

For Petitioner : Mr. K.Jeyamohan
For Respondents : Mr.K.Balasubramani (R1 to R5)
Special Government Pleader
Mr.B.Prasanna Vinoth (R6)

COMMON ORDER

The writ petition in WP(MD)No.18329 of 2025 has been filed challenging the impugned order in Ref.No.41297/E5/1/2025 dated



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20.05.2025 by the 1st respondent with a consequential direction to the respondents to permit the petitioner namely, Selvanayagi, to join service at Raja Mirasudar Government Hospital, Thanjavur in compliance with the transfer order dated 09.05.2025 issued by the 1st respondent.

2. The writ petition in WP(MD)No.19283 of 2025 has been filed seeking for a direction to the 3rd respondent to issue relieving order to the petitioner namely, Rajeswari, relieving her from the 5th respondent Primary Health Centre so as to enable to join duty as Radiographer in the 4th respondent hospital in pursuant to the transfer and posting order issued by the 1st respondent dated 09.04.2025 by considering the representation of the petitioner dated 19.05.2025 within a time limit as may be stipulated by this Court.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner, in WP(MD)No.18329 of 2025, namely, Selvanayagi is that she was initially appointed as Dark Room



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Assistant and thereafter promoted to the post of Radiographer in the Government Hospital, Karambakudi, Pudukottai District. Since the petitioner is a native of Thanjavur District, she applied for transfer. Pursuant to that, she was transferred to the third respondent hospital, vide order dated 09.05.2025 by the first respondent. Subsequently, she was relieved from the Government Hospital, Karambakudi, on 30.06.2025. However, the third respondent did not permit her to join duty stating that her transfer order was cancelled vide order dated 20.05.2025 by the first respondent. Challenging the same, the writ petition in WP(MD)No. 18329 of 2025 has been filed.

5. The case of the petitioner, in WP(MD)No.19283 of 2025, namely, Rajeswari is that she was initially appointed as Dark Room Assistant and thereafter promoted to the post of Radiographer in the fifth respondent primary health centre. Since the petitioner applied for transfer, she was transferred to the Raja Mirasudar Government Hospital, Thanjavur, vide order dated 09.04.2025 by the first respondent. However, till date she was not relieved. Hence, the writ petition in WP(MD)No. 19283 of 2025 has been filed.



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6. The learned counsel appearing for the employee, namely, Selvanayagi would submit that she was transferred from Government Hospital, Karambakudi, Pudukottai District to Raja Mirasudar Government Hospital, Thanjavur in the existing vacancy vide order dated 09.05.2025 and she has already joined duty. However, the said transfer order was cancelled vide order dated 20.05.2025 without assigning any reasons and hence, the impugned order dated 20.05.2025 is liable to be quashed. He further submitted that prior to passing of the transfer order to the employee, Selvanayagi, another employee, namely, Rajeswari was transferred to the same place, vide order dated 09.04.2025. His specific contention is that the employee, namely, Selvanayagi, after having joined the Raja Mirasudar Government Hospital, Thanjavur, the transfer order issued to another employee, namely, Rajeswari, mentioning ante date is unsustainable one.

7. Per contra, the learned counsel appearing for the employee, namely, Rajeswari would submit that the first respondent, vide Ref.No. 30198/E5/1/2025 dated 09.04.2025 transferred the employee, Rajeswari to the Government Hospital, Thanjavur. However, the transfer order



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issued to another employee, namely, Selvanayagi, refers to the reference number in Ref.No.41297/E5/1/2025, which is the subsequent reference to the reference mentioned in the employee, Rajeswari's transfer order. Hence, the order of transfer dated 09.05.2025 issued to the employee, Selvanayagi is unsustainable one.

8. The learned Special Government Pleader appearing for the official respondents would fairly concede that two transfer orders were passed, one is dated 09.04.2025 and another is dated 09.05.2025. Admittedly, the reference in the transfer order of the employee, Selvanayagi is a later one, which was inadvertently issued, which cannot be put against the employee, Rajeswari, who was issued with the transfer order at first. He would further submit that now, the place at Pudukottai District, where the employee, Selvanayagi, was working is still vacant and hence, the employee, Selvanayagi, will be entitled to be placed at Pudukottai District, where she was originally employed and the period of non-employment for the employee, Rajeswari, will be regularized.

9. In view of the said submission made by the learned Special Government Pleader appearing for the official respondents and



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considering the fact that the transfer order issued to the employee, Selvanayagi is inadvertent one, which was also cancelled through order dated 20.05.2025, the writ petition in WP(MD)No.18329 of 2025 is dismissed and the writ petition in WP(MD)No.19283 of 2025 is allowed. There shall be a direction to the first respondent to regularize the non-employment period of Rajeswari, which arisen due to the inadvertent act of the officials. There shall also be a direction to the third respondent to issue relieving order to the employee, namely, Rajeswari, to enable her to join duty in Raja Mirasudar Government Hospital, Thanjavur.

10. However, liberty is given to the employee, Selvanayagi, to make representation before the concerned authority seeking transfer to some other place nearest of her native and the same may also be considered by the authority concerned subject to the available vacancies and orders may be passed thereon. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

18.08.2025

Index : Yes / No



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NCC : Yes / No
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To:-

1. The Director of Medical Education and Research,
Kilpauk,
Chennai 600 010.
2. The Director of Medical And Rural Health Services,
Chennai 600 006.
3. The Director of Public Health and Preventive Medicine,
Chennai - 6.
4. The Dean,
Raja Mirasudar Government Hospital,
Thanjavur.
5. The Joint Director of Health Services,
Pudukkottai,
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M.DHANDAPANI, J.

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