



WEB COPY

WP No. 50415 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 50415 of 2025

AND

WMP NO. 56429 OF 2025

V.Reka

W/o.P.Karthik,

No.4/408, Balaji Meeting Hall Opposite Street,

Anaipatti, Anaipatti Post,

Nilakkottai, Dindigul- 624 219.

..Petitioner(s)

Vs

1. The Government Of Tamil Nadu
Rep. by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai- 600 009.
2. The Directorate of Medical and Rural Health
Services
Rep. by its Director,
DMS campus, Anna Salai,
Teynampet, Chennai- 600 006.
3. The Directorate of Medical, Education and
Research
Rep. by its Director,
EVR High Road, Kilpauk,
Chennai- 600 010.



4. The Dean

Government Namakkal Medical College
Hospital,
No.353, Master Plan Complex, Siluvampatti,
Namakkal- 637 603.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 3rd and 4th Respondent to relieve the petitioner from the 4th Respondent Institute Pursuant to the order bearing Ref. No.15629/ N2/ 2/ 2025 dt. 18.07.2025 passed by the 2nd Respondent Directorate and to divert her service to the Government Hospital, Nilakottai, Dindigul District within a time frame fixed by this court.

For Petitioner(s): Mr.V.Govardhanan
for M/s. Row and Reddy

For Respondent(s): Mr.M.Bindran,
Additional Government Pleader

Order

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 3 and 4 to relieve the petitioner from the 4th Respondent Institute pursuant to the order bearing Ref. No.15629/ N2/ 2/ 2025 dated 18.07.2025 passed by the 2nd respondent and to divert



her services to the Government Hospital, Nilakottai, Dindigul District within a time frame fixed by this Court.

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2. The petitioner would submit that she completed B.Sc. Nursing on 30.09.2010 and registered with the Tamil Nadu Nurses and Midwives Council on 20.01.2012. Pursuant to the notification issued by the Medical Recruitment Board, the petitioner was selected and appointed as Staff Nurse on a consolidated basis on 12.02.2016 and initially posted at Government Primary Health Centre, Kavalkaranpatti, Karur District. Thereafter, she was transferred to Government Hospital, T. Vadipatti, Madurai District. By proceedings dated 13.11.2024, the petitioner's services were regularised and she was granted a regular time scale of pay. Subsequently, she was transferred and posted to Government Namakkal Medical College (4th Respondent).

3. The petitioner would submit that her parents passed away when she was young and she was brought up by her guardian. She is married and has two minor children. Her husband is a priest working in Dindigul. The petitioner's in-laws are aged and suffering from ailments, and she is required to take care of her family and minor children. Considering her



family circumstances, the petitioner made a request on 16.07.2025 seeking transfer to a place near her hometown. Based on the same, orders were passed on 18.07.2025 to divert her services to Government Hospital, Nilakottai, Dindigul District. However, the petitioner has not been relieved by the 4th respondent so far on the ground that no relieving order has been issued by the 3rd respondent. Despite repeated representations, including the one dated 10.12.2025, no action has been taken. Hence, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. The records would show that pursuant to the request of the petitioner dated 16.07.2025 to the 2nd respondent seeking to divert her service to a place closer to her hometown, the 2nd respondent has passed an order dated 18.07.2025 to divert her services to the Government Hospital, Nilakottai, Dindigul District. The petitioner had requested for the diversion on account of the fact that she has to take care of her minor children and her father-in-law, who is suffering from various ailments



requiring constant attention. Despite issuing the diversion order dated 18.07.2025, the same has not been effected constraining the petitioner to approach this Court. It appears that the petitioner had been approaching the respondents to give effect to the order dated 18.07.2025. Finally on 10.12.2025, the petitioner had made a detailed representation to implement the order dated 18.07.2025. However, there was no response.

6. Mr.M.Bindran, learned Additional Government Pleader appearing for the respondents has produced the minutes of the meeting held on 22.10.2025 regarding transfer diversion / deputation of Medical Officers / Staff Nurses convened by the Principal Secretary, Health and Family Welfare Department, Secretariat, with the Heads of Departments. He would submit that in the said meeting, several decisions were taken and the one relevant to the case on hand is in Clause 4 which reads as follows:-

“iv. If any candidate has to be diverted / deputed from one Head of Department to other Head of Department, the Director of Medical and Rural Health Services should not issue any such orders unless the remarks of the concerned Head of Department is obtained by way of consent / NOC.”



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In the case on hand, the diversion order has been issued as early as on 18.07.2025. As on date, there has been no objection to the diversion order to any of the officers. Therefore, there is no impediment in relieving the petitioner from the 4th respondent Institute.

7. Accordingly, this writ petition is allowed. The respondents 3 and 4 are directed to implement the order of the 2nd respondent dated 18.07.2025 within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN



To

1. The Principal Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai- 600 009.
2. The Director,
Directorate of Medical and Rural Health Services
DMS Campus, Anna Salai,
Teynampet, Chennai- 600 006.
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Rep. by its Director,
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