



WP(MD). No.5654 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.02.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.5654 of 2026
and
WMP(MD)No.4710 of 2026

A.Antony Sahaya Mary

... Petitioner

Vs

1. The Director of Public Health
and Preventive Medicine,
O/o.The Director of Public Health and
Preventive Medicine,
DMS Complex, Teynampet,
Chennai-600 006.

2. The District Health Officer,
O/o.The District Health Office,
Palani,
Dindigul District.

... Respondents

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents to transfer and accommodate the petitioner to the post of Lab Technician Grade III in Primary Health Centre, S.Thummalapatti, Dindigul by considering his representation dated 12.02.2026 within the period that



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may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner is working as a Laboratory Technician at Chathirapatti, Ottanchathiram Block. She is a physically challenged person, having 60% disability. The petitioner's native is Batlagundu and her family members are also residing at Batlagundu and she is having two children aged about 5 and 9 years old. Therefore, she submitted a representation to the respondents, seeking to accommodate her in any one of the Primary Health Centres near Batlagundu, so that, it would be convenient for her to discharge her duty effectively. Since the petitioner's request has not been considered, she has filed this writ petition seeking a writ of mandamus.

2. The learned counsel appearing for the petitioner, by referring to the Government Letter dated 22.07.2009, submits that the Government



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has issued certain guidelines for accommodating persons with disability, to their native place for their effective services. Therefore, according to the learned counsel, the petitioner shall be accommodated in a nearby place. According to the petitioner, there is a vacancy at the Primary Health Centre, S.Thummalapatti, Dindigul.

3. The learned Additional Government Pleader takes notice for the respondents and submits that the vacancy at the Primary Health Centre, S.Thummalapatti, Dindigul, arises only on 18.02.2026. Since the vacancy arises recently, the respondents would consider the case of the petitioner.

4. This Court considered the rival submissions and perused the materials.

5. Admittedly, the petitioner is physically challenged with 60% locomotor disability. The Rights of Persons with Disabilities Act, 2016, was introduced with the object of ensuring full and effective participation of persons with disabilities in society. Therefore, provisions have to be



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made so that employees with disabilities are accommodated in government establishments. Section 20(2) of the Act provides that employees with disabilities should be provided reasonable accommodation and reads as under:

“(2) Every Government establishment shall provide reasonable accommodation and appropriate barrier free and conducive environment to employees with disabilities.”

6. Further, Section 20(5) of the 2016 Act provides that the appropriate Government may frame policies regarding the posting and transfer of employees with disabilities. In line with the provisions of the Act, the Chief Secretary of Tamil Nadu has framed guidelines regarding the transfer of physically challenged persons in Letter (Ms)No.92/S/09 dated 22.07.2009 which reads as under:

“3(i) Physically Challenged Government Servants in all Groups viz, A, B, C and D shall be posted near to their native places wherever possible.....”



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6. In view of the same, this writ petition is disposed of with a direction to the respondents to consider the case of the petitioner sympathetically and take a decision as per the guidelines issued in the Government Letter (Ms) No.92/S/09, dated 22.07.2009, within a period of ten days from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

27.02.2026

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Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

To

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B.PUGALENDHI, J.

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