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W.P.No.27723 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.27723 of 2025

And

W.M.P.Nos.31065 and 31066 of 2025

Dr.M.Geetharani

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Health and Family Welfare Department
Secretariat,
Chennai – 600 009.
- 2.The Principal Secretary to Government,
Municipal Corporation and Water Supply Department
Secretariat,
Chennai – 600 009.
- 3.The Director,
O/o.The Director Public Health and Preventive Medicine,
No.359, Anna Saalai,
Chennai – 600 006.
- 4.The Director,
The Director of Medical Services,
DMS Complex, Anna Saalai,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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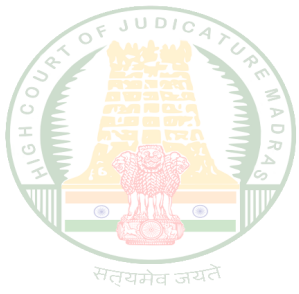
issue a Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order of transfer in G.O.(D) No.589 dated 03.06.2025 issued by the first respondent and quash the same, consequentially direct the respondents to permit the petitioner to continue her service as Grade I Deputy Director of Public Health and Preventive Medicine in Tirunelveli.

For Petitioner : Mr.K.Thilageswaran
For Respondent : Mr.K.Tippu Sultan
Government Advocate

O R D E R

Mr.K.Tippu Sultan, learned Government Advocate takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order of transfer in G.O.(D) No.589 dated 03.06.2025 issued by the first respondent and quash the same, consequentially direct the respondents to permit the petitioner to continue her service as Grade I Deputy Director of Public Health and Preventive Medicine in Tirunelveli.



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3.The learned counsel appearing for the petitioner would submit that the petitioner is District Health Officer Grade – I, in Tirunelveli, however, she had been transferred to Coimbatore in the cadre of District Health Officer, Grade – II. It is the contention of the learned counsel appearing for the petitioner that the petitioner has done tremendous development activity at Tirunelveli, however, without taking into consideration of those things, the respondents have transferred the petitioner to Coimbatore and inspite of the impugned transfer order dated 03.06.2025, so far they have not given any posting order and kept the petitioner in compulsory wait. Hence, prayed to interfere with the impugned order.

4.At this juncture, the learned Government Advocate, on written instructions from the third respondent would submit that there was some enquiry against the petitioner in respect of procurement of dental consumable drugs and medicines with exorbitant rates. Therefore, to conduct fair and free enquiry on the allegations against the petitioner, she was transferred to the present place. It is the further submission of the learned Government Advocate that for her posting at the transferred place, necessary concurrence were obtained from the second respondent. Therefore, there is no merits in the writ



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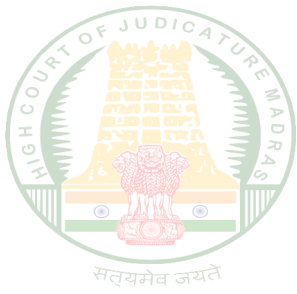
petition.

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5.I have given my anxious consideration to either side submissions.

6.It is an admitted fact that the petitioner was transferred from Tirunelveli to Coimbatore from District Health Officer Grade – I to District Health Officer, Grade – II. But when this Court put a pertinent question to the learned counsel appearing for the petitioner, he would fairly submit that the pay level in the two posts are identical. Therefore, the word Grade – I and Grade – II does not make any significance in the present case.

7.Though the learned counsel appearing for the petitioner would submit that the petitioner has done tremendous development activity at Tirunelveli, now the fact remains that there is allegations against this petitioner in respect of procurement of dental consumable drugs and medicines. No doubt as on today it is only allegation and the respondents want to conduct fair and free enquiry and on that score, they decided to transfer the petitioner from Tirunelveli to Coimbatore in non sensitive post, administratively.



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8.It is well settled principal of law that whenever any administrative action is taken by the authorities concerned, this Court must be slow in interfering with the same as the same is not amenable to judicial review unless there is malafide in the said order. In this case, this Court does not find any malafide in the action of the respondents.

9.Hence, the writ petition is dismissed. Respondents are directed to give posting order to the petitioner, within a period of one week from today. No costs. Consequently, connected miscellaneous petitions are closed.

25.07.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Principal Secretary to Government,
Health and Family Welfare Department
Secretariat,
Chennai – 600 009.

2.The Principal Secretary to Government,

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Municipal Corporation and Water Supply Department
Secretariat,
Chennai – 600 009.

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- 3.The Director,
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