

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE BASANT BALAJI

WEDNESDAY, THE 13<sup>TH</sup> DAY OF MARCH 2024 / 23RD PHALGUNA, 1945

WP(C) NO. 10022 OF 2024

PETITIONER/S:

DR.DIVYA L.P  
AGED 42 YEARS W/O DR. RAJESH R,  
SREEKOVIL, TC-6/435/4  
SNEEHATHEERAM LANE, MANJADI ROAD, THURUVIKKAL PO,  
THIRUVANANTHAPURAM, PIN - 695031  
BY ADVS. SANTHOSH PETER (MAMALAYIL) P.N.ANOOP SMITHA  
PILLAI SINDHUMOL C.R. ARYA RAJAN M.S.SANDEEP SUDHAKARAN  
JOBIN GRACE THOMAS

RESPONDENT/S:

- 1 THE PRINCIPAL SECRETARY,  
DEPARTMENT OF HEALTH AND FAMILY WELFARE.  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN -  
695001
- 2 THE PRINCIPAL SECRETARY  
DIRECTOR OF HEALTH SERVICE GENERAL HOSPITAL JUNCTION  
THIRUVANANTHAPURAM., PIN - 695035
- 3 DIRECTOR OF HEALTH SERVICES  
DIRECTORATE OF HEALTH SERVICE, GENERAL HOSPITAL  
JUNCTION THIRUVANANTHAPURAM., PIN - 695035
- 4 THE DISTRICT MEDICAL OFFICER  
MANATHAVADI PO, WAYAND., PIN - 670645
- 5 MEDICAL OFFICER  
COMMUNITY HEALTH CENTRE, PANAMARAM P O, WAYANAD  
DISTRICT, PIN - 670721

OTHER PRESENT:

SR GP AMT MARY BEENA JOSEPH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
13.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

(Dated this the 13<sup>th</sup> day of March 2024)

The petitioner is an MBBS Doctor and was working as Junior Consultant in Paediatric Department under the 3<sup>rd</sup> respondent. The petitioner's husband was working in Government Service in the Trivandrum Medical College. Due to continuous transfer and health issues followed by delivery, she decided to resign from the service and submitted the resignation letter on 15.03.2018 through the 3<sup>rd</sup> respondent. The petitioner was on leave, and after submitting the resignation letter, no steps have been taken on her application. Therefore, the petitioner decided to cancel the resignation request and to rejoin duty under the 3<sup>rd</sup> respondent and submitted Ext.P2 request to the 3<sup>rd</sup> respondent on 03.12.2022.

2. The counsel for the petitioner submits that even

after a lapse of one year, no steps have been taken to pass orders on Ext.P2 request. Therefore, the petitioner seeks a direction to the 3<sup>rd</sup> respondent to take up Ext.P2 and pass appropriate orders.

3. Heard the counsel for the petitioner as well as the learned Sr. Government Pleader.

Having considered the facts and circumstances of the case, and since the limited prayer is only for disposal of Ext.P2, I direct the 3<sup>rd</sup> respondent to take up Ext.P2 and pass appropriate orders, within a period of two months from the date of receipt of a copy of the judgment.

Sd/-

BASANT BALAJI  
JUDGE

JS

APPENDIX OF WP(C) 10022/2024

PETITIONER EXHIBITS

- |            |   |
|------------|---|
| Exhibit P1 | TRUE COPY OF THE FORWARDING LETTER SENT BY THE 5TH<br>RESPONDENT TO THE 4TH RESPONDENT DATED 05.07.2018<br>ALONG WITH ITS READABLE COPY |
| Exhibit P2 | TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER<br>TO THE 3RD RESPONDENT ON 03.12.2022   |
| Exhibit P3 | TRUE COPY OF THE LETTER SENT BY THE 1ST RESPONDENT<br>TO THE 3RD RESPONDENT DATED 12.09.2023  |