

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.27984 of 2015
and
M.P.No.1 of 2015

G.Devarajan ... Petitioner/Party in Person

-Vs-

1. Rep. By The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai-9.
2. Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-9.
3. Principal Secretary/Commissioner,
Arignar Anna Government Hospital,
Arumbakkam,
Chennai-106.
4. Superintendent of Anna Hospital,
Arignar Anna Government Hospital,
Arumbakkam,
Chennai-106.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to implement hygiene particularly in Toilets and set right the scarcity of medicines in Arignar Anna Government Siddha Hospital, Anna Nagar, Chennai (3rd and 4th respondent).

For Petitioner : Mr.G.Devarajan/Party in person

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.R.Kamalanathan
Additional Government Pleader &
Mr.V.Shanmugasundar
Government Advocate

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, through this Public Interest Litigation wants some improvement in the condition of the Toilets in Arignar Anna Government Siddha Hospital, Arumbakkam, Chennai-106.

2. The material relied upon by the petitioner, who claims to be the Job Typist and recognised Advocate Clerk of High Court, is primarily based on the newspaper report and the protest by the Doctors. The petitioner states that he has given a complaint on 08.08.2015 questioning the hospital condition with a reminder dated 31.08.2015 and then filed the writ petition on 1st September, 2015. On our query as to how and when he last visited the hospital, he states that after filing of the writ petition, he visited the hospital on 02.09.2015 and seeks to produce some photographs.

3. From the aforesaid, it appears that this is really either proxy litigation or an endeavour to bring into the public domain some organisation he seeks to have created. We are, thus, not inclined to entertain the Public Interest Litigation, at his behest.

4. The writ petition is dismissed. No costs. Consequently, M.P.No.1 of 2015 is closed.

5. We, however, feel that there can be no doubt that the condition of hospitals should be hygienic and taking care of the needs of the patients. The hospital, apparently is treating even dengue patients, which arises from the particular breed of mosquitoes. Thus, the unhygienic conditions tend to create an environment for breeding of such mosquitoes, especially the presence of stagnant water.

6. We, thus, initiate suo-motu proceedings and call upon the respondents to place before us the status report of the condition of the hospital, i.e. photographs of the hospital, man power available and how the hygiene aspects are being looked into.

7. The report be filed within four weeks.

8. The concerned persons as informed by the learned Government

Pleader are the Principal Secretary/Commissioner and the Superintendent of Arignar Anna Government Siddha Hospital, Arumbakkam, Chennai-106 (respondent Nos.3 and 4 herein), who should be impleaded as two respondents in the suo-motu proceedings.

9. List on 12.10.2015.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bbr
To

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai-9.
2. The Secretary to Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai-9.
3. Principal Secretary/Commissioner,
Arignar Anna Government Hospital,
Arumbakkam, Chennai-106.
4. Superintendent of Anna Hospital,
Arignar Anna Government Hospital,
Arumbakkam, Chennai-106.

Copy To

The Sub Assistant Registrar,
A.E. (Writ) Section,
High Court, Madras.

+1cc to the Government Pleader, S.R.No.48436
+1 cc to M/s.G.Devarajan, Advocate, sr.49158 (09/10/2015)

PA(CO)
CA(09/09/2015)

W.P.No.27984 of 2015