

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.4148/2015 & MP.No.1/2015

Mr.C.Kathiresan

..Petitioner

Versus

- 1.The Commissioner & Secretary
Government of Tamil Nadu
Health & Family Welfare Dept.,
Fort St George, Chennai-9.
- 2.The Director of Medical and Rural Health
Chennai 600 006.
- 3.The Joint Director of Health Services
Nagapattinam 611 001.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari calling for the records relating to the impugned order passed by the 3rd respondent in Na.Ka.No.4785/T.Va/2009 dated 10.02.2015 received on 12.02.2015 and quash the same.

For Petitioner : Mr.K.M.Venugopal

For Respondents: Mr.S.Gunasekaran, GA

ORDER

Heard Mr.R.M.Venugopal, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.The petitioner is aggrieved by the order passed by the 3rd respondent dated 10.02.2015 directing the petitioner to shift the Kiosk which has been established by the petitioner.

3.According to the petitioner, the proposed location where he has been directed to shift is not a proper location and there is a septic tank and the place will not be a hygienic place.

4.In my view, the 3rd respondent is the competent authority to locate the Kiosk in the manner it serves the purpose as well as it is not a hindrance to the patients and their attendants who visit the hospital. Hence, this Court is not inclined to grant the relief sought for by the petitioner. Accordingly, the writ petition fails and the same is dismissed. No costs.

5.However, the petitioner states that there is another place where it will be very hygienic to install the Kiosk. If it is so, then it is open to the petitioner to give a representation to the 3rd respondent and the 3rd respondent shall consider the same in accordance with law. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Commissioner & Secretary
Government of Tamil Nadu
Health & Family Welfare Dept.,
Fort St George, Chennai-9.
- 2.The Director of Medical and Rural Health
Chennai 600 006.
- 3.The Joint Director of Health Services
Nagapattinam 611 001.

+ 1 cc to Government Pleader Sr.9145
+ 1 cc to Mr.M. Venugopal, Advocate Sr.8872

WP.No.4148/2015

TEJ(CO)
Eu 23.02.15

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