

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.No.6478 of 2015

and M.P.No.1 of 2015

R.Saravanan

... Petitioner

-vs-

1. Government of Tamil Nadu,
Rep. by Secretary to Government,
Health and Family Welfare Dept.,
Secretariat, Chennai.
 2. The Director of Public Health and
Preventive Medicine, Chennai.
 3. The District Collector,
Dharmapuri District, Dharmapuri.
 4. The Deputy Director (Health Services),
Collectorate Campus, Dharmapuri.
 5. The Tahsildar,
Dharmapuri Taluk & District.
- .. Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to locate the Primary Health Centre, sanctioned in G.O.Ms.No.46, Health and Family Welfare (EAO-II-2) Department, dated 17.02.2014, at Mukkalnaickenpatty Village instead of at Rajathopu (Sl.No.7 of Annexure) Dharmapuri District, in the light of the proposal sent by the 5th respondent in Na.Ka.No.2009/2014 dated Nil.07.2014 to the 3rd respondent and the representation dated 16.12.2014 of the petitioner.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.S.T.S.Moorthy,
Govt. Pleader for RR1 to 5

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O R D E R

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

On hearing the learned counsel for the petitioner, we are of the view that no Public Interest Litigation is maintainable, as the location of a Health Centre in a particular place vis-a-vis the plea of the petitioner to locate it in another place, is purely within the administrative domain of the Government. The petitioner has made a representation dated 16.12.2014, but that is entirely for the Government to examine whether the administrative exigency requires re-location of the Health Centre, for which it is the third respondent, who should be required to look into.

2.Writ Petition is dismissed with the aforesaid observation. No costs. Consequently, M.P.No.1 of 2015 is also dismissed.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

sra
To

1. The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Dept.,
Secretariat, Chennai.
2. The Director of Public Health and
Preventive Medicine, Chennai.
3. The District Collector,
Dharmapuri District, Dharmapuri.
4. The Deputy Director (Health Services),
Collectorate Campus, Dharmapuri.
5. The Tahsildar,
Dharmapuri Taluk & District.

C.C. to Govt. Pleader .Sr.No.13414

C.C. to Mr.R.Thamarai Selvan, Advocate, .Sr.No.13324

W.P.No.6478 of 2015

GGK(CO)
RRI(31.03.2015)