

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.14811 OF 2016

AND

WMP.NO.12949 OF 2016

Kurinji Super Speciality Hospital
Represented by its Managing Director
Dr.Jayaraman
Dr.T.J. Salai, Five Roads,
Salem - 636 016. Petitioner

Versus

1. The Commissioner
Salem Corporation
Salem.
2. The Assistant Commissioner
Ward Office
Sooramangalam,
Salem Corporation,
Salem. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents herein to provide drainage facilities to the petitioner Hospital by removing the blocks in the existing route or in an alternative way and provide water connection to the petitioner Hospital.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.S.Diwakar
Additional Government Pleader

O R D E R

Heard Mr.R.Nalliyappan, learned counsel for the petitioner and Mr.S.Diwakar, learned Additional Government Pleader, accepting notice on behalf of the respondents.

2. With the consent of learned counsel appearing on either side, this writ petition is taken up for final disposal, at the admission stage itself.

3. The petitioner is a Super Speciality Hospital established in Salem District and have filed this writ petition seeking for a mandamus to direct the respondents herein to provide drainage facilities to their Hospital by removing the blocks in the existing route or in an alternative way and provide water connection to their Hospital.

4. The learned counsel for the petitioner submitted that for certain vested interest, the subordinate staff of the respondent Corporation have not provided drainage facility and they have mala fide disconnected the water supply. It is further submitted that the petitioner would be satisfied, if their representation dated 05.04.2016 submitted to the first respondent is considered.

5. In the light of the limited prayer sought for, there will be a direction to the first respondent to consider the petitioner's representation dated 05.04.2016, call for appropriate report from the subordinate officer, after affording an opportunity of personal hearing to the Managing Director of the petitioner - Hospital, and pass appropriate orders, on merits and in accordance with law. If it is found that the case of the petitioner is genuine and there is no other legal impediment, then the first respondent shall ensure that proper drainage facility and water supply is provided, since the petitioner is a Hospital. The above direction shall be complied with by the first respondent within a period of three weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

TK

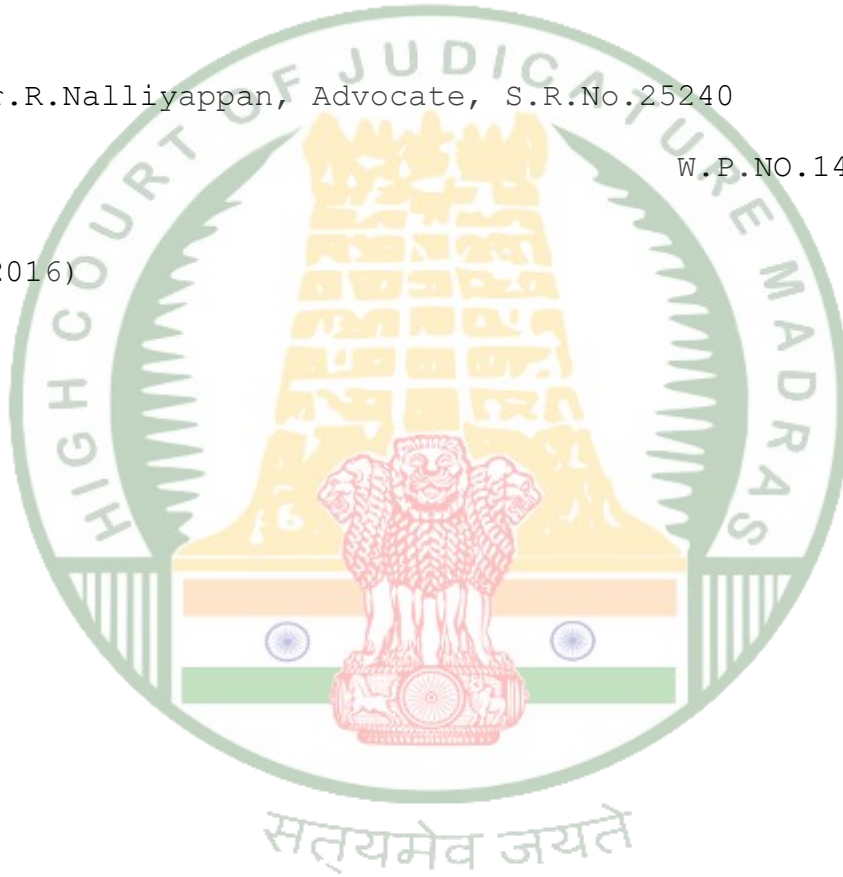
To

1. The Commissioner
Salem Corporation
Salem.
2. The Assistant Commissioner
Ward Office
Sooramangalam,
Salem Corporation,
Salem.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.25240

W.P.NO.14811 OF 2016

AK(CO)
CA(25/04/2016)



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