

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.25374 of 2013
and M.P.No.1 of 2013

K.Shanmugam

.. Petitioner

-vs-

1.State of Tamil Nadu,
Rep. by The Chief Secretary,
Secretariat, Fort St. George,
Chennai-9.

2.The Secretary to Tamil Nadu Govt.,
Health & Family Welfare Dept.,
Chennai-9.

3.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai-3.

4.City Health Officer,
Public Health Department,
Corporation of Chennai,
Ripon Buildings, Chennai-3.

5.Zonal Health Officer,
Zone XIII, Health Department,
Adyar, Corporation of Chennai.

6.Dr.Ravindran, Prop.Elite Asian
Hospital (24 Hrs.Multi Speciality). .. Respondents
New No.147A, Old No.5, 2nd Avenue
Besant Nagar, Chennai-600 090

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct 3 to 5 respondents to lock and seal the 6th respondent Elite Asian Hospital (24 Hrs. Multi Speciality) located at New No.147A, Old No.5, 2nd Avenue, Besant Nagar, Chennai-90.

For Petitioner : Mr.J.Ramesh
For Respondents : Mr.T.N.Rajagopalan
: Spl.G.P. for RR 1 and 2
: Mr.C.Ravichandran for RR 3 to 5
: Mr.Thomas T.Jacob for R-6

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O R D E R

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

The petitioner, at the stage of filing of the petition, was an employee of the Corporation and Secretary of its Union and seeks to file a public interest litigation qua the sixth respondent functioning as a hospital without requisite permissions.

2.We are not satisfied with the bona fides of the petitioner and are, thus, not inclined to entertain the petition.

3.Learned counsel appearing for the sixth respondent states that in the meantime, they have obtained the certificate of registration from the Corporation of Chennai.

4.Though we are not inclined to entertain the petition, that does not absolve the respondent authorities of ensuring that the sixth respondent complies with the mandatory provisions of law to run a hospital.

5.Writ petition is dismissed with the aforesaid observation. No costs. Consequently, M.P.No.1 of 2013 is also dismissed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

1.The Chief Secretary to Govt. of Tamil Nadu,
Secretariat, Fort St. George, Chennai-9.

2.The Secretary to Tamil Nadu Govt.,
Health & Family Welfare Dept., Chennai-9.

3.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai-3.

4.City Health Officer,
Public Health Department,
Corporation of Chennai,
Ripon Buildings, Chennai-3.

5.Zonal Health Officer,
Zone XIII, Health Department,
Adyar, Corporation of Chennai.

+1 cc to Mr.Thomas T.Jacob Advocate sr 45237

+1 cc to Mr.Dr.C.Ravichandran Advocate sr 45286

+1 cc to Government pleader sr 45476

W.P.No.25374 of 2013

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