

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.33131 of 2017

G.Kamalraja

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. By the Secretary to Government,
Department of Public Health,
Secretariat, Chennai.
- 2.Director of Medical and Rural Health Services,
Kilpauk, Chennai - 6.
- 3.Joint Director of Health Services,
Salem.
- 4.Senior Civil Medical Officer,
Government Taluk Hospital,
Vazhappadi, Salem District.
- 5.Executive Engineer,
Public Works Department,
Buildings (Construction and Maintenance Division)
Medical Works, Salem - 7.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to construct Mortuary Block at Vazhappadi Taluk Hospital in Salem District with all facilities for Post-mortem, by considering the petitioner's representation dated 28.12.2016 within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.T.N.Rajagopalan
Government Pleader (In-charge)

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard R.Neelakandan, learned counsel for the petitioner. Mr.T.N.Rajagopalan, learned Government Pleader (In-charge) accepts notice for the respondents.

2.The petitioner stated to be the Chairman of Vazhappadi Town Development Committee and a Councillor for Ward No.6 and 7 of Vazhappadi Town Panchayat, is before this Court, by way of this writ petition styled as a Public Interest Litigation.

3.The petitioner prays for a direction upon the respondents to construct Mortuary Block at Vazhappadi Taluk Hospital in Salem District with all facilities for Post-mortem, by considering his representation dated 28.12.2016.

4.It appears that even prior to the petitioner's representation, there has been some correspondence to the said effect as has been pointed out by the learned Government Pleader in file Na.Ka.No.270/2016 dated 06.07.2016.

5.However, we do not propose to express any opinion on the request made by the petitioner as to the feasibility and necessity for locating a Mortuary in a Taluk Hospital. It is for the 2nd and 3rd respondents to take a decision in the matter with appropriate consultation with the Government. Therefore, we direct the 3rd respondent to send a reply to the petitioner's representation dated 28.12.2016 as to what is the current state of affairs, whether the proposal as forwarded by the 4th respondent has been considered or not and such reply shall be sent to the petitioner within a period of three weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

Sgl

To

1. The Secretary to Government,
Department of Public Health,
Secretariat, Chennai.
 2. Director of Medical and Rural Health Services,
Kilpauk, Chennai - 6.
 3. Joint Director of Health Services,
Salem.
 4. Senior Civil Medical Officer,
Government Taluk Hospital,
Vazhappadi, Salem District.
 5. Executive Engineer,
Public Works Department,
Buildings (Construction and Maintenance Division)
Medical Works, Salem - 7.
- + 1 cc to Mr.R.Neelakandan Advocate, SR.92002
+ 1 cc to The Govt.Pleader, SR.91952

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