



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.11203 of 2017

People's Watch,
Represented by it's Executive Director,
Henri Tiphagne,
No.32, Besant Road,
Chokkikulam,
Madurai - 625 002.

... Petitioner

-vs-

- 1.The State of Tamil Nadu,
Represented by it's Secretary,
Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Madurai District,
Madurai - 625 020.
- 3.The Dean,
Government Rajaji Hospital,
Madurai,
Madurai - 625 001.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industries Estate,
Kappalur,
Thirumangalam,
Madurai - 625 008.
- 5.The Deputy Director,
Fire and Rescue Services,
Southern Region,
District Collector Office Campus,
Madurai - 625 020.
- 6.The Executive Engineer,
Public Works Department,
P.W.D. Office Compound,
Tallakulam,
Madurai - 625 002.
- 7.V.Veeranan

... Respondents



PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the Respondents No.1 to 6 to take appropriate action to shift the Canteen run by the 7th Respondent inside the 3rd Respondent hospital strictly adhering to the G.O.Ms.No.93 issued by the Health and Family Welfare Department dated 25.03.2015 and the 3rd Respondent hospital committee report vide office proceedings in Na.Ka.No.14305/Thi.Va/2016 dated 02.05.2017 within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.VR.Shanmuganathan
1 to 6 Special Government Pleader

For 7th Respondent : Mr.ARL.Sundaresan
Senior Counsel for M/s.AL.Ganthimathi

O R D E R

(Order of the Court by M.M.SUNDRESH, J.,)

This Writ Petition has been filed to direct the Respondents No.1 to 6 to take appropriate action to shift the Canteen run by the 7th Respondent inside the 3rd Respondent hospital by strictly adhering to the G.O.Ms.No.93 issued by the Health and Family Welfare Department dated 25.03.2015, and the 3rd Respondent hospital committee report vide office proceedings in Na.Ka.No.14305/Thi.Va/2016 dated 02.05.2017, within a time frame.

2.Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 6 and the learned counsel appearing for the 7th respondent.

3.Now, the grievance of the petitioner is that no action is forthcoming on the hospital committee report dated 02.05.2017. It is the further case of the petitioner that there is violation of G.O.Ms.No.93 Health and Family Welfare Department dated 25.03.2015.

4.We do not propose to go into the finding recorded in the report of the hospital committee. It is a matter to be looked into by the third respondent. However, it is suffice to direct the third respondent to take action on the report dated 02.05.2017, within a time frame.

5.Accordingly, this Writ Petition is disposed of with a direction to the third respondent to take action on the hospital committee report dated 02.05.2017, after affording an opportunity of hearing to the petitioner and the respondent No.7. Such a



decision has to be taken within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

To:

- 1.The Secretary,
Health and Family Welfare Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Madurai District,
Madurai - 625 020.
- 3.The Dean,
Government Rajaji Hospital,
Madurai, Madurai - 625 001.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industries Estate,
Kappalur, Thirumangalam, Madurai - 625 008.
- 5.The Deputy Director,
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District Collector Office Campus,
Madurai - 625 020.
- 6.The Executive Engineer,
Public Works Department,
P.W.D. Office Compound,
Tallakulam, Madurai - 625 002.

+1 CC to M/s.R.KARUNANITHI, Advocate, SR No. 70695

+1 CC to M/s.AL.GANTHIMATHI, Advocate, SR No. 70767.

SJ

PSM/GT/SAR2/16.08.2017/3P/9C

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