



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P. [MD].No.17264 of 2017
and
W.M.P (MD) .No.13820 of 2017

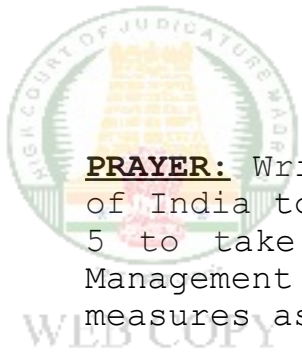
R.Deivam

: Petitioner

Vs .

1. The State of Tamil Nadu,
Represented by its Secretary,
Housing and Urban Development,
Fort St.George,
Chennai-600 009.
2. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
Opposite to LIC, Sengalvarayan Building,
4th Floor, 807, Anna Salai,
Chennai-600 002.
3. The Commissioner,
Thanjavur Municipality,
Thanjavur-613 007.
4. The Member Secretary,
Local Planning Authority,
No.33, 4th Street, Rajappa Nagar,
Medical College Road,
Thanjavur.
5. The District Fire Service Officer,
Thanjavur-613 007.
6. The Managing Director,
M/s.Meenakshi Hospital,
Nilgiri Village,
Thanjavur.

: Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 5 to take appropriate action against the 6th respondent Hospital Management to ensure Fire Safety arrangements and Life Safety measures as per National Building Code, 2005.

For Petitioner : Mr.R.Rajamohan
For Respondents 1,2,4&5 : Mr.M.Govindan,
Special Government Pleader
For Respondent No.3 : Mr.N.Dilip Kumar

O R D E R

[Order of the Court was made by K.K.SASIDHARAN , J.]

When the Writ Petition came up for hearing, we found that it was not a Public Interest Litigation and it was purely a Private Interest Litigation. When it was pointed out, under similar circumstances, the Writ Petition filed against the sixth respondent was dismissed by this Court and the same was confirmed by the Honourable Supreme Court by imposing cost, the petitioner submitted that the Writ Petition was filed in public interest. We, therefore, directed the police to produce the CC TV footage to ascertain as to whether the petitioner really visited the Meenakshi Mission Hospital, Tanjore, on the particular day. The call records produced by the learned Special Government Pleader clearly proved that the petitioner was very much available at Madurai on the particular day and the falsity of the contention taken by him that he visited the Meenakshi Mission Hospital, Tanjore on the said day. We, therefore, directed the petitioner to pay cost. The petitioner, accordingly, paid the cost amount of Rs.5,000/- (Rupees Five Thousand only) to the Tamil Nadu Harijan Sevak Sangah, Madurai and produced the receipt before this Court.

2. The Writ Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

3. We hope and trust that the petitioner would not come up with such false litigations by branding it as "Public Interest Litigation".

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar



To

1. The Secretary,
The State of Tamil Nadu,
Housing and Urban Development,
Fort St.George,
Chennai-600 009.
 2. The Director of Town and Country Planning,
Directorate of Town and Country Planning,
Opposite to LIC, Sengalvarayan Building,
4th Floor, 807, Anna Salai,
Chennai-600 002.
 3. The Commissioner,
Thanjavur Municipality,
Thanjavur-613007.
 4. The Member Secretary,
Local Planning Authority,
No.33, 4th Street, Rajappa Nagar,
Medical College Road,
Thanjavur.
 5. The District Fire Service Officer,
Thanjavur-613007.
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80958
+ 1 CC TO Mr.R.RAJAMOHAN, ADVOCATE IN SR No. 80571

SML/TSG

TE/KP/SAR-I : 05/10/2017 : 3P/8C

Order made in
W.P.[MD].No.17264 of 2017 and
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Dated:22.09.2017