



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.4074 of 2017

S.Ramesh Kumar

.. Petitioner

Vs.

- 1.The Principal Secretary,
Union of India,
Ministry of Health and Family Welfare,
Nirman Bhawan, C-Wing,
New Delhi - 110 001.
- 2.The State of Tamilnadu,
rep. by the Principal Secretary,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 3.Director of Medical Education,
Directorate of Medical Education,
The State of Tamil Nadu,
156, Poonamallee High Road,
New Bupathy Nagar,
Chethupattu, Chennai,
Tamil Nadu - 600 031.
- 4.The District Collector,
Office of the District Collector,
Madurai, Madurai District.
- 5.The Dean,
Madurai Government Rajaji Hospital and
Madurai Government Medical College,
Madurai - 625 020.
- 6.The Executive Director,
The Engineering Projects (India) Ltd.,
Core-3, Scope Complex,
7-Institutional Area,
Lodhi Road, New Delhi-110 003.



7.The Director / The Manager,
Srikar and Associates (P) Limited,
No.2, 1st Cross, 1st Main,
1st Block, RMV Extension 2nd Stage,
Bangalore - 560 094.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to take immediate action to take appropriate action to complete the construction works of 'Super Speciality Hospital for Government Rajaji Hospital' (Under Prime Minister Swasthya Suraksha Yojana Phase II) and inaugurate the functioning of 'Super Speciality Hospital for Government Rajaji Hospital, Madurai to ensure qualitative medical treatment for poor patients within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani
For Respondent No.1 : Mr.D.Saravanan,
Central Government Senior
Standing Counsel.
For Respondents 2 to 5 : Mr.M.Govindan
Special Government Pleader

ORDER

[Order of the Court was made by A.SELVAM, J.]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents to complete construction works of Super Speciality Hospital for Government Rajaji Hospital under Prime Minister Swasthya Suraksha Yojana Phase II and inaugurate the same as early as possible, by way of issuing a writ of mandamus.

2.Mr.D.Saravanan, learned Central Government Senior Standing Counsel, has taken notice for the first respondent and M.Govindan, learned Special Government Pleader, has taken notice for the respondents 2 to 5. Considering the nature of the relief sought in the writ petition, notice need not be sent to the remaining respondents.

3.The main grievance expressed on the side of the petitioner is that the construction works of Super Speciality Hospital in Madurai has not been completed. Under the said circumstances, the present writ petition has been filed.

4.The learned Special Government Pleader appearing for the respondents 2 to 5 has also equally contended to the effect that for doing construction work a separate contract has been given and he put up construction.



5. Considering the contention put forth on the side of the petitioner to the effect that construction works of Super Speciality Hospital in Madurai has not been completed, this Court is inclined to pass the following order.

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6. In fine, this writ petition is allowed in part without costs and the respondents 2 to 5 are directed to complete construction works of Super Speciality Hospital in Madurai, within a period of six months.

sd/-

Assistant Registrar (CS I)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Ministry of Health and Family Welfare,
Government of India, Nirman Bhawan, C-Wing,
New Delhi - 110 001.
2. The Principal Secretary,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
3. Director of Medical Education,
Directorate of Medical Education,
Government of Tamil Nadu,
156, Poonamallee High Road,
New Bupathy Nagar, Chethupattu,
Chennai, Tamil Nadu - 600 031.
4. The District Collector,
Office of the District Collector,
Madurai, Madurai District.
5. The Dean,
Madurai Government Rajaji Hospital and
Madurai Government Medical College, Madurai - 625 020.

+1cc to Mr.D.Saravanan, Advocate SR.No.13658
+1cc to special Government Pleader SR.No.14110

smn

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ORDER MADE IN
W.P (MD) No.4074 of 2017
09.03.2017