



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2017

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE A.SELVAM
and
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.14611 of 2013

C.Anantha Raj

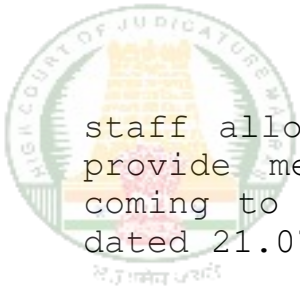
... Petitioner

-vs-

- 1.The Chief Secretary,
State of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai - 600 009.
- 2.The Secretary,
State of Tamil Nadu,
Health Department,
St. George Fort,
Chennai - 600 009.
- 3.The District Collector,
District Collector Office,
Madurai,
Madurai District.
- 4.The Secretary,
Public Welfare Department,
Secretariat,
St. George Fort,
Chennai - 600 009.
- 5.The Dean,
Government Rajaji Hospital,
Madurai,
Madurai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution
<https://hcservices.poultts.gov.in/hcservices/>
of India praying to issue writ of Mandamus, to direct the
respondents to take necessary action to appoint doctors, and other



staff allotted for the Peraiyur Government Hospital, Madurai and provide medical service, round the clock, to the poor people coming to the Hospital by considering petitioner's representation dated 21.07.2013.

WEB COPY

For Petitioners : Mr.R.Alagumani
For Respondents : Mr.B.Pugazhendhi, AAG assisted by
Mr.D.Muruganantham
Additional Government Pleader

O R D E R

(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 take necessary action to appoint doctors and other staff in Peraiyur Government Hospital and also for giving necessary direction to provide medical service round the clock to poor people coming to hospital, by way of issuing a writ of mandamus.

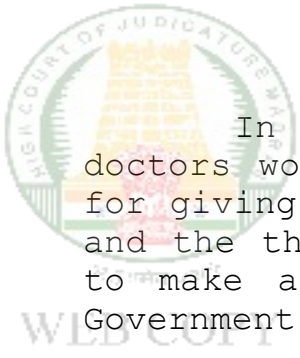
2.It is averred in the petition that the petitioner is a resident of Bharathi Nagar, Krishnapuram Colony, Madurai. In Peraiyur, a Government Hospital is functioning. But, requisite strength of doctors are not available. On further, during evening hours, doctors are not available to meet the contingency. Under the said circumstances, this writ petition has been filed for getting the relief sought therein.

3.The learned counsel for the petitioner has advanced his arguments on the basis of averments made in the writ petition.

4.The learned Additional Advocate General has represented to the effect that in Peraiyur Government Hospital, all vacancies of doctors have been filled up. Under the said circumstances, the first relief sought in the writ petition cannot be granted and further, he represented that with regard to the ancillary relief, necessary instructions will be given to the Joint Director of Health Department.

5.It is seen from the reliefs that the main relief is to fill up doctors in Peraiyur Government Hospital. As represented on the side of the respondents, all vacancies of doctors have been filled up and therefore, the main relief cannot be granted.

6.The ancillary relief sought in the writ petition is that in Peraiyur Hospital, doctors should be available round the clock so as to give treatment to ailing poor community. Considering the relief sought in the writ petition, this Court is inclined to pass the following order:



In fine, this writ petition is allowed without cost. The doctors working in Peraiyur Government Hospital must be available for giving necessary treatment to ailing people throughout the day and the third respondent viz., the District Collector is directed to make a surveillance over the performance of doctors in the Government Hospital, Peraiyur.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Chief Secretary,
State of Tamil Nadu,
Secretariat,
St. George Fort,
Chennai - 600 009.

2.The Secretary,
State of Tamil Nadu,
Health Department,
St. George Fort,
Chennai - 600 009.

3.The District Collector,
District Collector Office,
Madurai,
Madurai District.

4.The Secretary,
Public Welfare Department,
Secretariat,
St. George Fort,
Chennai - 600 009.

5.The Dean,
Government Rajaji Hospital,
Madurai,
Madurai District.

+One cc to The Special Government Pleader, SR.No.3088

Arul

RL/7C/3P/GSV/PM/23.1.2017

W.P(MD) No.14611 of 2013