



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
and

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

W.P (MD) No. 12215 of 2019
and W.M.P. (MD) No. 9177 of 2019

Manikandan. G

...

Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The
Director,
Public Health and Preventive Medicine,
D.M.S. Complex,
Chennai.
3. The Dean,
Government Rajaji Hospital,
Madurai.
4. The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai Meenakshi Amman Temple,
Madurai.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents authorities to forthwith open/set up a permanent primary Health Center (P.H.C) within inside the premises of Madurai Meenakshi Amman Temple and further direct the respondents to appoint a Senior Medical Officer on duty along with one modern equipped Ambulance Service for Medical emergency/assistance for devotees, temple employees and Poojaris/priest, by considering petitioner's representation dated 17.05.2019.

For Petitioner

: Mr.G.Manikandan
Party-in-person

For Respondents 1 to 3

: Mr.A.K.Baskara Pandian
Special Government Pleader

For 4th Respondent

: Mr.A.L.Kannan
for Mr.VR.Shanmuganathan

O R D E R

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The matter in issue pertains to location of Primary Health Centre inside the premises of Arulmighu Meenakshi Sundareswarar Temple at Madurai Town.

2.This Court in continuation and conjecture with the orders dated 22.05.2019 and 07.06.2019 is passing the following order:

3.The fourth respondent has filed a status report dated 04.06.2019 and it is relevant to extract the following:-

"i. It is submitted that Temple is providing First Aid Kit and they are always available in all prime places of temple viz. Ulthurai Superintendent Office, Prasadha Stall, Temple administration office etc.

ii. It is submitted that temple also has the facilities like "Foldable Wheel Chairs" & "foldable stretchers" & "Battery Car" for all medical emergencies.

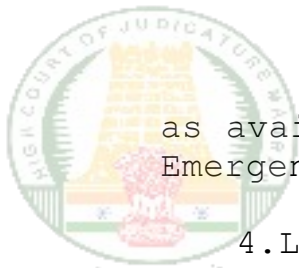
Iii. It is submitted that in all places of temple where the devotees are available, temple staff are deputed to assist them for doing peaceful dharsan. In case of Medical emergencies all the temple staff have been suitably instructed immediately to call 108 service Medical Ambulance and also to the Government Hospital and also to ensure that the person who requires medical assistance reaches the Ambulance in very short span of time.

iv. It is submitted that normally ambulance reaches temple either at the eastern entrance or at the western entrance within 5 to 10 minutes. Such 108 Ambulance service, as of now have their venue near Periyar Bus Stand, near Rajaji Hospital and near South Veli Street, all within one kilometer from the temple.

v. It is submitted that during the festivals seasons Emergency Medical facilities are provided by the Government Rajaji Hospital, Madurai on request made by the temple administration and team of doctors and medical assistance staff with all necessary medical equipments would be present and available to meet any medical emergency.

vi. It is further submitted that two Primary Health Centers are situated within 500 Meters from the temple. One Primary Health Centre situated at North Masi Street and another one situated in South Veli Street. Further, there are two private clinics within 100 Meters from the temple.

viii. Opening a primary Health Centre inside the temple premises may not be feasible for the reason being that temple is a place of public religious worship. At the same time it is needless to state that necessary preliminary
For the purpose to meet medical emergencies must be made. It is respectfully submitted that the facilities as aforesaid and



as available are sufficient to meet the preliminary Medical Emergencies."

4.Learned Standing Counsel appearing for the fourth respondent would submit that a private organisation volunteered to donate an ambulance and therefore, necessary permission was sought from the Commissioner, H.R. & C.E., Chennai vide letter dated 14.03.2019 and the Principal Secretary/Commissioner, H.R. & C.E., Chennai vide letter dated 21.05.2019 in Moo.Mu.No.15502/2019/z2 accorded permission to M/s.J.K. Fenner & Co., to donate ambulance subject certain conditions and the said conditions have been accepted and the ambulance has been donated and parked in the premises of Arulmighu Meenakshi Sundareswarar Temple for providing emergency medical care.

5.The petitioner/party-in-person has also pointed out that even few days back, one devotee suffered heart attack and therefore, requirement of Primary Health Centre is absolutely necessary in the temple premises.

6.It is to be pointed out at this juncture that there are very many public places in which the people used to throng in large numbers and in all places it may not be possible to locate Primary Health Centres and it is also pointed out in the earlier order of this Court as to the location of two Primary Health Centres within 500 meters and two private clinics within 100 meters from the temple.

7.The petitioner being a public interest litigant and also a devotee of the residing deity shall also make all endeavours to train himself as well as getting training for public persons in First Aid and the petitioner/party in person also undertake to do the endeavours in this regard.

8.In the light of the status report filed by the fourth respondent, coupled with the provision of an ambulance by a voluntary organisation, which is to be parked inside the premises of the temple, no further orders are necessary in this Writ Petition. Accordingly, this Writ Petition is closed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar(CS)



1.The District Collector,
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Madurai.

2.The Director,
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+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.69459

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