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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.(MD) No.14338 of 2020

K.K.Ramesh

...Petitioner

Vs.

1.Union of India,
rep. By its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, C Wing,
New Delhi 110001.

2.Union of India,
rep. By its Director General,
Indian Council of Medical Research,
V.Ramalingaswami Bhavan,
Ansari Nagar, Post Box 4911
New Delhi 110 029.

3.The State of Tamil Nadu,
rep. By its Chief Secretary,
Secretariat, Chennai 9

4.The State of Tamil Nadu,
rep. By Principal Secretary,
Health and Family Welfare,
Secretariat,
Chennai.

5.The Director,
Tamil Nadu Public Health Department,
Chennai.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to instruct the respondents to set up powerful flying squad and monitor the private hospitals who receive exorbitant amount of fees from Covid-19 patients all over Tamil Nadu; to cancel the license of private hospitals who receive, exorbitant amount of fees from Covid-19 patients in Tamil Nadu; to instal a



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notice Board in front of private hospitals indicating Government fixed fees for Covid-19 in Tamil Nadu, by considering the petitioner's representation dated 02.09.2020.

For the Petitioner : No appearance

For the Respondents : Mr.C.Nandagopal,
for respondents 1 and 2

Mr.P.Muthukumar,
State Government Pleader,
for respondents 3 to 5

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petition may have served its purpose. The concern of the petitioner was that several private hospitals and like medical facilities were charging at exorbitant rates from Covid-19 patients all over the State.

2. On behalf of the official respondents, a copy of G.O.Ms.No.240 dated June 5, 2020 has been placed. Such notification refers to the Chief Minister's Comprehensive Health Insurance Scheme to provide affordable and quality health services to the people in the State. The notification says that the National Health Protection Scheme (NHPS) launched by the Government of India has been implemented in this State by integrating it with the Chief Minister's Comprehensive Health Insurance Scheme. The notification indicates the charges that may be levied for treatment of non-critical and critical care Covid-19 cases. The costs for RT-PCR tests are also provided.

3. There is an annexure to the notification that sets out tables indicating the tentative rates.

4. Though the petitioner is not represented, in view of the measures taken as evident from the said notification and the fact that Covid-19 cases in the State have fallen sharply, W.P. (MD) No.14338 of 2020, which has been filed in public interest, is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



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To:

1. The Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan, C Wing,
New Delhi 110001.
2. The Director General,
Indian Council of Medical Research,
V.Ramalingaswami Bhavan,
Ansari Nagar,
Post Box 4911
New Delhi 110 029.
3. The Chief Secretary,
Secretariat,
Chennai 9
4. The Principal Secretary,
Health and Family Welfare,
Secretariat,
Chennai.
5. The Director,
Tamil Nadu Public Health Department,
Chennai.

+1cc to the Government Pleader, Sr.49093(12/10/2021)

W.P.(MD) No.14338 of 2020

KSM[co]
NSK 28/09/2021