



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

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

W.P.No.30926 of 2019

Dr.G.R.Ravindranath, MBBS

.. Petitioner

Vs.

1. Principal Secretary to Government,
Government of Tamil Nadu,
Health & Family Welfare Department,
Fort St. George, Chennai 600 009.

2. The Director,
Directorate of Medical Education,
Chennai 600 010.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent authorities to strictly implement the notification dated 09.07.2015 issued by the second respondent and direct the respondent authorities to provide eight hours duty with shift system to the post graduate medical students and UG CRRI candidates in all medical colleges and hospitals and provide a mechanism or appoint high power committee to supervise and ensure continuous implementation of the eight hours duty and shift system and ensure no non-medical duty is imposed on Post graduate and UG-CRRI candidates.

For the Petitioner : Mr.S.Thankasivan

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

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

The petition pertains to the strict implementation of a notification of July 9, 2015 issued by the Directorate of Medical Education to provide for eight hours duty per day on shift basis to post-graduate medical students and under-graduate



compulsory rotatory residential internship candidates at State hospitals and medical colleges.

2. There is no doubt that the provisions of the notification may have been breached during the emergency situation that arose both during the first surge of the pandemic and the deadlier second wave. However, the official respondents represented by learned State Government Pleader, Mr.P.Muthukumar, say that from or about February, 2021 there has been no violation and committees have been set up for individual complaints to be lodged before such committees in case a particular student has had to devote more than eight hours per day.

3. In the light of the above, the petition appears to have served its purpose. Merely because government hospitals and medical colleges may not be appropriately or adequately staffed, will not entail that post-graduate medical students or under-graduate interns would be subjected to additional hours and the situation should be monitored by the second respondent on a continuous basis.

W.P.No.30926 of 2019 is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To:

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Health & Family Welfare Department,
Fort St. George, Chennai 600 009.

2. The Director,
Directorate of Medical Education,
Chennai 600 010.

+1cc to Mr.S.Thanka Sivan, Advocate, S.R.No.44473

W.P.No.30926 of 2019

RLD (CO)
PR (08/09/2021)