



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2021

CORAM :

**The Hon'ble Mr. JUSTICE T.S.SIVAGNANAM**

AND

**The Hon'ble Mrs. JUSTICE S.ANANTHI**

W.P. (MD) No.7550 of 2021

A.Veronica Mary

... Petitioner

Vs

1. The State of Tamil Nadu,  
Represented by,  
The Principal Secretary,  
Department of Health and Family Welfare,  
State of Tamil Nadu,  
State Secretariat, Fort St.George,  
Chennai - 600 009.
2. The Directorate of Medical Education,  
Represented by,  
The Director,  
Directorate of Medical Education,  
162, Periyar E.V.R.High Road,  
Kilpauk, Chennai - 600 010.
3. The Government Rajaji Hospital,  
Represented by,  
The Dean,  
Government Rajaji Hospital,  
Panagal Road, Madurai - 625 020.

... Respondents

**PRAYER :** Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, pleased to issue writ of mandamus to direct the respondents a) to start the 'Zero Delay Admission System' in the emergency department and triage emergency ward in Madurai Government Rajaji Medical College Hospital and all the Government Medical College Hospitals and all District headquarters in Tamil Nadu as like Government Rajiv Gandhi Medical College Hospital, Chennai and take steps to significantly reduce the number of deaths on the basis of 'Zero Death Rate' in accordance with law; b) To take immediate action to fully implement the 'Emergency Medical Care Program' in the emergency department in Madurai Government Rajaji Medical College Hospital and all



Government Medical College Hospitals in Tamil Nadu to make quality medical care to the poor people based on G.O.(MS) No.425 dated 22.10.2020 issued by Tamil Nadu Health and Family Welfare Department in accordance with law; c) To begin the work of 'Pediatric care ward' in Madurai Government Rajaji Medical College Hospital and the pediatric ward should be operate for 24 hours a day with specialized pediatricians and equipped with all modern medical facilities, operation theaters for the treatment including exclusive super speciality pediatric treatment facilities for cancer, heart, vascular diseases, lung, liver and kidney as functions like Government Institute of Child Health (ICH)-Egmore-Chennai in accordance with law.

For Petitioner : Mr. R.Alagumani

For respondents : Mr. K.P.Krishnadoss,  
Special Government Pleader

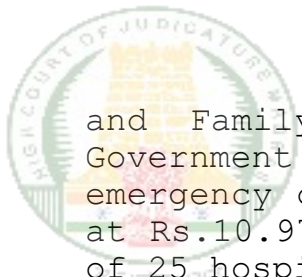
**ORDER**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.R.Alagumani, learned Counsel appearing for the writ petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents.

2. The writ petitioner by way of this public interest litigation seeks for a direction upon the respondents to start 'Zero Delay Admission System' in the Emergency Department and Triage Emergency Ward in the Madurai Government Rajaji Medical College Hospital and all Government Medical College Hospitals and all District Headquarters in Tamil Nadu as like Government Rajiv Gandhi Medical College Hospital, Chennai. Further for a direction to take immediate action to implement the 'Emergency Medical Care Program' in the Emergency Department in Madurai Government Rajaji Medical College Hospital and all Government Medical College Hospitals in Tamil Nadu based on G.O.(MS)No.425 dated 22.10.2020 and for a direction to commence work of 'Pediatric care ward' in Madurai Government Rajaji Medical College Hospital and Pediatric Ward be made operational for 24 hours with specialized pediatricians and equipped with modern medical facilities.

3. The writ petitioner claims himself to be a public interest litigant and has brought before this Court various issues concerning the public, which were taken note by the Court and appropriate directions were issued to the Government. In this writ petition, the petitioner seeks for the aforementioned reliefs. One of the relief sought for namely providing 'Emergency Medical Care Program' is based upon a Government Order in G.O.(MS) No.425, Tamil Nadu Health



and Family Welfare Department, dated 22.10.2020, wherein, the Government has taken a policy decision for establishment of emergency department at all 25 Government Medical College Hospitals at Rs.10.97 Crore. In the annexure to the Government Order the list of 25 hospitals have been given.

WEB COPY

4. The petitioner also appreciates the steps taken in the Government Rajiv Gandhi Medical College Hospital, Chennai, where they introduced the system which is called 'Zero Delay Admission System' and seek for such best practice to be followed in Madurai Government Rajaji Medical College Hospital and all Government Medical College Hospitals. That apart the petitioner also seeks for commencement of work for 'Pediatric care ward' in these hospitals. All the relief sought for by the petitioner are policy decisions to be implemented by the Government and undoubtedly, it is for the welfare of the public.

5. Considering the present circumstances and the difficulties faced by the Doctors in the various Government Hospitals, on account of large number of cases where persons who have tested positive for COVID-19 virus are being given effective treatment and what we have observed in this writ petition, we direct the first respondent to consider the representation made by the petitioner and take appropriate action for the welfare of the public which undoubtedly, the State has been doing herculean efforts ever since March, 2019.

6. The Writ petition stands disposed of with the above direction. No costs.

Sd/-

ASSISTANT REGISTRAR (T & P)

/TRUE COPY/

/ /2021

SUB ASSISTANT REGISTRAR(CS- )

*Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To:

1. The Principal Secretary,  
The State of Tamil Nadu,  
Department of Health and Family Welfare,  
State of Tamil Nadu,  
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3. The Dean,  
The Government Rajaji Hospital,  
Government Rajaji Hospital,  
Panagal Road,  
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+1 CC to M/s. SPL GP ( SR-15459[F] dated 08/04/2021 )

PKN (PA), MJ (CO)  
SMN : 12/05/2021 : 4P/5C.

W.P. (MD) No.7550 of 2021  
07.04.2021