



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.15157 of 2020

Dr.Jeyavenkatesh

... Petitioner

Vs.

- 1.The Principal Secretary to Government of Tamil Nadu,
Department of Hindu Religious and Charitable Endowment,
Secretariat,
Chennai.
- 2.The Principal Secretary to Government of Tamil Nadu,
Department of Health & Family Welfare,
Secretariat,
Chennai.
- 3.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 4.R.V.Baalachandran ... Respondents
(R4 is impleaded vide Court order dated
04.12.2020 in W.M.P.(MD) No.14435/2020
in W.P.(MD) No.15157/2020 by NKKJ and BPJ)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to establish Siddha Hospital in Temples having a significant income on the basis of the petitioner's representation dated 07.10.2020.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent Nos.1 to 3: Mr.A.K.Manickam
Standing Counsel for Government

For Respondent No.4 : Mr.J.Bharathan

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ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The petitioner seeks for a direction upon the respondents to establish Siddha Hospital in Temples having a significant income on the basis of the petitioner's representation dated 07.10.2020.



2.Heard Mr.P.Gnapathi Subramanian, learned counsel for the petitioner, Mr.A.K.Manickam, learned Standing Counsel for Government, appearing for respondent Nos.1 to 3 and Mr.J.Bharathan, learned counsel for the fourth respondent.

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3.A counter affidavit has been filed by the Joint Commissioner (Legal), HR & CE Administration, Department, wherein it is submitted that necessary steps have been taken to open Siddha Dispensary in the 35 Temples, which have been listed therein. Learned Standing Counsel for Government submitted that the number of Temples, in which Siddha Dispensaries are proposed to be opened, is increased to 45.

4.Be that as it may, so far as the present situation is concerned, no such positive direction can be issued to the Government. Apart from that, it may not be conducive to run a dispensary in the Temple, when the Government has taken action to establish Primary Health Centres, Fever Clinics, Taluk Level Fever Clinics and Village Health Facility to have house to house check-up for fever. Therefore, in our considered view, the proposal to open Siddha dispensaries in the temples requires a re-look.

5.In view of the above, the Writ Petition stands dismissed with the above observations. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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 to Government of Tamil Nadu,
Department of Hindu Religious and Charitable Endowment,
Secretariat,
Chennai.



2.The Principal Secretary to Government of Tamil Nadu,
Department of Health & Family Welfare,
Secretariat,
Chennai.

3.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.

+1 CC to M/s.T.R.JEYAPALAM, Advocate (SR-20632[F]
dated 30/06/2021)

+1 CC to M/s.SPL GP (SR-20674[F] dated
30/06/2021)

W.P. (MD)No.15157 of 2020
28.06.2021

KM(CO)
TR(06.07.2021) 3P 6C