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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No. 4921 of 2022

&

W.M.P.No.5069 of 2022

New Woodlands Hotel Thozilalar Sangam,
Rep.by its President A.Kannabiran,
No.AP.261,11th East Cross Street,
M.K.B.Nagar,
Chennai - 600 039.

...Petitioner

Vs.

1. The Government Of Tamil Nadu,
Rep.by tis Chief Secretary,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. New Woodlands Hotel Pvt. Ltd.,
Rep.by its Managing Director,
No.72-75, Dr. Radhakrishnan Road,
Mylapore,
Chennai - 600 004.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in G.O.Ms.No.280 Revenue and Disaster Management (DM-II) Department, Dated 06/06/2020 and 06/06/2020 and quash the same, in respect of the condition of, workers of 55 years of age and having co-morbidities should not be allowed to work and they should be advised to stay home.

For Petitioner : Mr.S.Gopinath

For Respondents : Mr.TNC Kaushik
Additional Government Pleader

ORDER

The petitioner challenges G.O.Ms.No.280, Revenue and Disaster Management (DM-II) Department dated 06.06.2020, specifically Clause V thereof which prescribes Generic



Preventive Measures stating that persons above the age of 65 years with co-morbidities and other vulnerable sections of the society are advised to stay at home except for health and essential purposes.

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2. Much water has flown under the bridge post the passing of aforesaid order. The impugned order was passed at a time when the entire world, our country included, was in the throes of the Covid-19 pandemic and as a measure of protection of citizens.

3. Thereafter, there has been a relaxation of all measures and opening up of all sectors of the economy in the light of the decline in the pandemic situation, overall. In fact, the Commissionerate of Revenue Administration and Disaster Management of the Tamil Nadu Disaster and Risk Reduction Agency has issued letter No.OC/563/2020 dated 03.03.2022, specifically referring to the impugned order and stating as follows:-

Sub: Disaster Management-Covid-19-Standard operating procedures for customers/owners / managers/workers in the Restaurants in Tamil Nadu-Issued during Covid-19 peak situation-All activities permitted now without restrictions-Reg.

Ref: G.O.Ms.No.280, Revenue and Disaster Management Department dt 06.06.2020.

"1. I invite kind attention to the G.O. Cited wherein the Government have issued Standard Operating Procedures for customers/Owners/Managers/Workers in the Restaurants in Tamil Nadu while the COVID-19 pandemic was in a peak situation.

2. In this connection, it is informed that now the COVID-19 positive cases have gradually come down and that as on 03.03.2022 only 292 cases have been tested positive and 3,950 persons are under treatment in the State of Tamil Nadu.

3. Taking into account the decline in COVID-19 positive cases day by day and considering the welfare of the people of Tamil Nadu, the Economic situation, all activities have been opened up and as such there are no restrictions in force for the containment of COVID-19 in Tamil Nadu. Therefore, the above fact may be apprised to the Court of Law."

4. In light of the aforesaid, the apprehensions of the petitioner do not survive any further. Recording the same, the



writ petition is closed. Connected writ miscellaneous petition is also closed. There shall be no order as to costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nst/ska

To

The Chief Secretary,
The Government Of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai - 600 009.

+1cc to Mr.S.Gopinath, Advocate, S.R.No.14500
+1cc to the Government Pleader, S.R.No.15541

W.P.No. 4921 of 2022 &
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PMK(CO)
CT 31/03/2022