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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M. DHANDAPANI

W.P.No.7244 of 2021
and
W.M.P.No.7746 of 2021

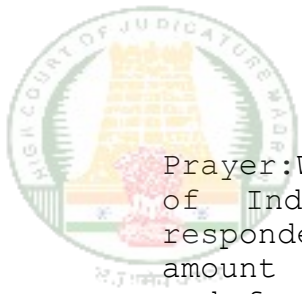
Dr. T.D.Naidu

...Petitioner

Vs

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai-600 009.
2. The Principal Secretary to Government,
Health and Family Welfare Government,
Government of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai-600 009.
3. The Collector,
Thiruvallur District,
Tamil Nadu-602 001.
4. Tahsildar,
Thiruvallur Taluk,
Thiruvallur District.
5. The Block Medical Officer,
Government Primary Health Centre,
Katchur, Thiruvallur District.
6. The Project Director,
The Tamil Nadu Health Systems Project,
Department of Health and Family Welfare,
Government of Tamil Nadu,
3rd Floor, DMS Annex New Building,
No, 259, Anna Salai,
Teynampet, Chennai-600 006.

...Respondents



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Prayer:Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 & 3 to make payment to the petitioner for an amount of Rs.3,674,000,000/-(Rupees Three hundred sixty crores and forty lakhs only) for the usage of 3000 bedded facility of D.D. Medical College & D.D. Hospital have been using as Emergency Care Centre with additional 1,000 beds for treating COVID-19 virus patients from 01.04.2020 to 28.02.2021 by the District Administration of Thiruvallur and the Government of Tamil Nadu as per the Provisions of 65,66 of Disaster Management Act, 2005 and provision 2(1) of the Epidemic Diseases Act, 1897.

For Petitioner : Mr. Wilson, Senior Counsel
for Mr.A. Saravanan

For Respondents : Mr. Silambanan,
Additional Advocate General
assisted by
Mrs. C. Sangamithirai,
Special Government Pleader.

O R D E R

The present petition has been filed seeking a direction to the respondents 1 & 3 to make payment to the petitioner for usage of bedded facility of D.D. Medical College & D.D. Hospital as Emergency Care Centre with additional 1,000 beds for treating COVID patients from 01.04.2020 to 28.02.2021.

2.It is the case of the petitioner that the D D Medical College has been utilized by Thiruvallur District Administration and Government of Tamil Nadu for treating COVID-19 patients by utilising 3000 bedded facility of the college as Emergency Care Centre with additional 1000 beds from 01.04.2020 to 28.02.2021 by invoking provisions of Section 66 of the Disaster Management Act, 2005. It is the case of the petitioner that towards the same, dues have not been paid to the petitioner. Therefore, the petitioner had made a representation to respondents 1 to 3 for payment of outstanding dues. However, till date, the same has not been considered by the respondents concerned. Hence, the petitioner has come up with the present petition seeking the aforesaid relief.

3. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to respondents 1 to 3 to consider the representation made by the petitioner for payment of outstanding dues to the petitioner, within the time frame fixed by this Court.



4.Learned Additional Advocate General appearing for respondents submits that the petitioner's representation will be considered and appropriate orders will be passed on the same in accordance with law, within the time frame fixed by this Court.

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5.Heard the learned counsel on the either side and perused the materials available on record.

6.On perusal of the materials available on record, it is evident that though the petitioner alleges submission of representation, however only an undated representation is available in the typed set of documents. In the said circumstances, this Court without going into the merits of the case, directs the petitioner to submit a copy of the representation to respondents 1 to 3 along with the copy of this order within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, respondents 1 to 3 shall consider and dispose of the same in accordance with law within a period of six weeks thereafter.

7.Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Principal Secretary to Government,
Health and Family Welfare Government,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.
3. The Collector,
Thiruvallur District,
Tamil Nadu-602 001.



4. Tahsildar,
Thiruvallur Taluk,
Thiruvallur District.

5. The Block Medical Officer,
Government Primary Health Centre,
Katchur, Thiruvallur District.

6. The Project Director,
The Tamil Nadu Health Systems Project,
Department of Health and Family Welfare,
Government of Tamil Nadu,
3rd Floor, DMS Annex New Building,
No, 259, Anna Salai,
Teynampet, Chennai-600 006.

+2cc to Mr.A.Saravanan, Advocate, S.R.No.4328

+1cc to the Government Pleader, S.R.No.4286

W.P.No.7244 of 2021

PMK(CO)
RGA(18/02/2022)