



W.P(MD)No.7748 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7748 of 2019

and

W.M.P.(MD)Nos.6151 & 6152 of 2019

and

W.M.P.(MD)Nos.270 & 17853 of 2021

Dr.Elizabeth Jeyavarthini

... Petitioner

Vs.

**1.The District Collector,
Ramanathapuram District,
Ramanathapuram.**

**2.The District Officer,
Fire & Rescue Service,
Ramanathapuram District.**

**3.The Tahsildhar,
Ramanathapuram Taluk,
Ramanathapuram District.**

**4.Rev.Dr.Sadanantha
Secretary,
Synod CSI,
Chennai.**

**5.The Bishop-DMR
B.Ed College, Correspondent,
Christian Mission Hospital,
Madurai.**

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take necessary action stopping the process of illegal demolition by the 5th respondent of the hospital building functioning under the name and style “St Martins CSI Mission Health Centre” at Ramnad functioning and direct the 5th respondent to allow the same to junction as hospital. Satisfying the needs of poor patients for more than 100 years thereby preserving its ancient nature on the basis of the petitioner's representations dated 26.12.2018 and 17.02.2019.

For Petitioner : Mr.R.G.Shankar Ganesh
For R1 to R3 : Mr.A.K.Manikkam
Special Government Pleader
For R5 : Mr.J.M.Hassanulbazari

ORDER

Heard the learned counsel on either side.

2. The petitioner wants this Court to restrain the private parties from demolishing the petition mentioned building.

3. As rightly pointed out by the learned counsel for the private respondent, the petitioner is not having any locus standi to even maintain the writ petition. However, in paragraph No.7 of the counter affidavit, the following averment has been made:-



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“7. I submit that after closing the hospital, the entire building depleted by the natural inclement weather and the misuse by the ruthless public. Hence, the diocese has decided to make the best use of it by converting into something useful to the public. The hospital property was given to same institution of professional nature and suitable to rural poor public and then has emerged the idea of graduate teacher education B.Ed., a professional training unic”

4. Recording the aforesaid para, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

12.12.2022

Index : Yes / No
Internet : Yes/ No
rmi

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Officer,
Fire & Rescue Service,
Ramanathapuram District.

3.The Tahsildhar,
Ramanathapuram Taluk,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

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