



W.P(MD)No.14127 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.12.2023**

**CORAM :**

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.14127 of 2023**

S.Shanmugam

... Petitioner

vs.

1. State of Tamil Nadu,  
Represented by the Principal Secretary,  
Health and Family Welfare Department,  
State of Tamil Nadu,  
State Secretariat, Fort St.George,  
Chennai – 600 009.

2. State of Tamil Nadu,  
Represented by the Principal Secretary,  
Public Works Department, State of Tamil Nadu,  
State Secretariat, Fort St. George,  
Chennai-600 009.

3. The Director,  
Directorate of Public Health and Preventive Medicine,  
DMS Complex, Thennampettai, Chennai - 600 009.

4. The District Collector,  
Office of the District Collector,  
Pudukkottai District.

5. The Deputy Director of Health Services,  
Office of the Deputy Director of Health Services,  
Pudukkottai District.

6. The Chief Medical Officer,  
Government Hospital, Karambakudi,  
Pudukkottai District.

... Respondents



W.P(MD)No.14127 of 2023

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to take appropriate action to provide basic infrastructures such as, supplying food for inpatients by constructing permanent kitchen, proper toilet facilities, generator, ambulance, watchman, CCTV cameras in the Government Hospital, Karamabakkudi, consequently direct the respondents to fill up the post of Assistant Surgeon in Government Hospital, Karambakkudi, to provide Diagnostic facilities such as, X-Ray, CT Scan and blood storage facilities as well as adequate number of qualified Doctors, Laboratory Technicians in the Government Hospital, Karambakkudi, in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani  
For Respondents : Mr.P.Thilakkumar, Government Pleader

### **ORDER**

**[Order of the Court was made by The Hon'ble CHIEF JUSTICE]**

We have heard Mr.R.Alagumani, learned counsel for the petitioner and Mr.P.Thilakkumar, learned Government Pleader appearing for the respondents.

2. The learned counsel for the petitioner submits that the basic necessary infrastructure facilities are absent in the respondent No.6 Hospital i.e., Government Hospital, Karambakkudi, Pudukkottai



W.P(MD)No.14127 of 2023

District and the respondents should be directed to provide basic infrastructures such as, supplying food for inpatients by constructing permanent kitchen, proper toilet facilities, generator, ambulance, watchman, CCTV cameras in the Government Hospital, Karamabakkudi, and also to fill in the post of Assistant Surgeon in Government Hospital, Karambakkudi, to provide Diagnostic facilities such as, X-Ray, CT Scan and blood storage facilities as well as adequate number of qualified Doctors, Laboratory Technicians in the Government Hospital, Karambakkudi, in accordance with law within a time frame.

3. The learned counsel further submits that there are three sanctioned posts of the Doctors and only two are filled in. There are vacant posts in other categories also and the same are not filled in.

4. The counter affidavit is filed on behalf of the respondents. Paragraphs 3, 5 and 6 of the same read thus:-

*"3. It is humbly submitted that Karambakudi Primary Health Centre has been upgraded as Taluk Hospital and it is functioning with 36 bedded facilities from 01.04.2015. The new building has constructed equipped with Operation theatre at an estimated cost of Rs.90 lakhs for the welfare of patients. The Hospital also facilitates outpatient and in-patient surgeries, psychiatry, dentistry, delivery treatments*

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and laboratory tests and routine treatments. The Mental Health program is conducted once a month and ophthalmology section (twice a week). We also provide 108 ambulance service, purified drinking water (RO) system, 40kv capacity Generator facility, visitor waiting room are also available. Out of three sanctioned posts for Assistant Surgeon, two doctors are working and one post is vacant. The doctors are being diverted from nearby Government Hospitals on alternate work delivering the 24 hour medical care to all needy patients.

4. ...

5. It is humbly submitted that our hospital providing basic infrastructures such as proper toilet facility, ambulance services and we are having 7 CCTV Cameras, 2 RO Plants ECG facilities also available to all the needy peoples.

6. It is humbly submitted that the Taluk Hospital, Karambakudi, Pudukottai District has properly maintained with 36 Beds with an average Out Patients per day is 456 and In Patients per day is 23 and the sanctioned strength of Staff position details is as follows:-

| Sl. No. |                    | SANCTIONED | POSITION | VACANT |
|---------|--------------------|------------|----------|--------|
| 1       | Assistant Surgeon  | 3          | 2        | 1      |
| 2       | Superintendent     | 1          | 1        | 0      |
| 3       | Nursing Supt Gr.II | 1          | 0        | 1      |
| 4       | Chief Pharmacist   | 1          | 1        | 0      |
| 5       | Staff Nurse        | 4          | 4        | 0      |
| 6       | Pharmacist         | 1          | 1        | 0      |
| 7       | Jr. Assistant      | 1          | 1        | 0      |



**W.P(MD)No.14127 of 2023**

|       |                             |    |    |   |
|-------|-----------------------------|----|----|---|
| 8     | Lab.Tech. Gr.II             | 1  | 1  | 0 |
| 9     | Physiotherapist Gr.II       | 1  | 1  | 0 |
| 10    | Radiographer                | 1  | 1  | 0 |
| 11    | Office Assistant            | 1  | 1  | 0 |
| 12    | Record Clerk                | 1  | 0  | 1 |
| 13    | Maternity Assistant         | 1  | 0  | 1 |
| 14    | Auxiliary Nurse and Midwife | 1  | 0  | 1 |
| 15    | Male Nursing Assistant      | 1  | 0  | 1 |
| 16    | Female Nursing Assistant    | 1  | 1  | 0 |
| 17    | Hospital worker             | 1  | 1  | 0 |
| 18    | Sanitary worker             | 1  | 1  | 0 |
| Total |                             | 23 | 17 | 6 |

5. From the affidavit, it appears that the respondents are trying to provide the facilities. There are some posts vacant. The respondents shall endeavour to fill in the vacant posts expeditiously preferably within a period of four months from today.

6. The learned counsel for the petitioner submits that a proposal has already been sent by the respondent No.6 to the respondent No.1 for providing further facilities in the respondent No.6 Hospital. The respondent No.1 shall take a decision on the said proposal preferably within a period of six months from today.



W.P(MD)No.14127 of 2023

7. The Writ Petition, accordingly, stands disposed of. No costs.

[S.V.G., C.J.]

[L.V.G., J.]

01.12.2023

Index : Yes / No  
Neutral Citation : Yes / No  
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To

1. The Principal Secretary,  
Health and Family Welfare Department,  
State of Tamil Nadu, State Secretariat,  
Fort St.George, Chennai – 600 009.

2. The Principal Secretary,  
State of Tamil Nadu,  
Public Works Department, State of Tamil Nadu,  
State Secretariat, Fort St. George,  
Chennai-600 009.

3. The Director,  
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W.P(MD)No.14127 of 2023

**THE HONOURABLE CHIEF JUSTICE**  
**and**  
**L.VICTORIA GOWRI, J.**

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