



W.P.No.16901 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.16901 of 2021

Sridhar Ananthanarayanan

... Petitioner

Vs.

1. The District Collector,
Collectorate,
GST Road,
Chengalpattu District-603 001.
- 2.The Director of Medical and Rural
Health Services,
DMS Complex,
361, Anna Salai,
Teynampet, Chennai-600 006.
- 3.The Joint Director of Health Service,
Chengalpattu and Kancheepuram.
- 4.The Chairman,
Daisy Hospital.



W.P.No.16901 of 2021

5.The Managing Director,
Daisy Hospital,
Running Hospital at
No.12-Ramanar Street, Sudha Avenue,
Chitalappakkam,
Chennai-600 004.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take necessary legal action against the respondents 4 and 5 for acting in negligent and irresponsible manner in respect of the treatment given to the patient herein and for violating G.O.(Ms).No.251, Health and Family Welfare (EAP1-1) Department, dated 22.05.2021, issued by the Tamil Nadu Government.

For Petitioner : Ms.Rekha Sivakumar

For Respondents : Mr.C.Sundaram
Government Advocate
for R1 to R3
Mrs.Revathi Manivannan
for R4 and R5



W.P.No.16901 of 2021

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ORDER

This Writ Petition has been filed seeking for a direction to the respondents 1 to 3 to take necessary legal action against the respondents 4 and 5 for acting in negligent and irresponsible manner in respect of the treatment given to the patient herein and violating G.O.(Ms).No.251, Health and Family Welfare (EAP1-1) Department, dated 22.05.2021, issued by the Government of Tamil Nadu.

2. The learned counsel appearing for the petitioner submits that the petitioner's father-in-law was affected with COVID-19, for which, he was admitted in the fourth respondent Hospital on 21.05.2021. However, the fourth respondent Hospital, knowing very well that they have no much facilities, gave improper treatments to COVID-19 patients and collected huge amount and therefore, the petitioner made a complaint before the jurisdictional Police. However, since the third respondent is the appropriate Authority, this Court may permit the petitioner to file a complaint before the



W.P.No.16901 of 2021

third respondent in terms of G.O.(Ms).No.251, Health and Family Welfare (EAP1-1) Department, dated 22.05.2021.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the respondents 4 and 5.

4. In view of the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, permits the petitioner to file a complaint before the third respondent. If such complaint is filed by the petitioner, the third respondent is directed to constitute a Committee and dispose of the complaint filed by the petitioner in terms of G.O.(Ms).No.251, Health and Family Welfare (EAP1-1) Department, dated 22.05.2021, after providing sufficient opportunity to the petitioner and the fourth respondent Hospital, as expeditiously as possible.



W.P.No.16901 of 2021

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

08.08.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

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W.P.No.16901 of 2021

WEB COPY

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WEB COPY



W.P.No.16901 of 2021

M.DHANDAPANI, J.

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W.P.No.16901 of 2021

08.08.2024