



W.P. No.22681 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2024

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

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S. Kuppusamy

Versus

.... Petitioner

1. The Secretary,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.

2. The Dean,
Government Stanley Hospital,
Royapuram,
Chennai – 600 013.

3. The Residential Medical Officer,
Government Stanley Hospital,
Royapuram,
Chennai – 600 013.

4. The Director of Medical Department,
Kilpauk Medical College,
Kilpauk,
Chennai – 600 010.

5. The Inspector of Police,
H1, Washermenpet Police Station,
Chennai – 600 021.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, directing the respondents to consider petitioner's representation dated 28.05.2024 and directing the 1st to 4th respondents to consider his representation dated 28.05.2024 and grant me permission to operate his ambulance services at Government Stanley Hospital and issue a writ of mandamus or any other appropriate writ, order, or direction and grant any other relief as deemed fit and proper in the circumstances of the case.

For Petitioner : Mr.S. Saravana Kumar

For Respondents : Mr.E. Sundaram,
Govt. Advocate for R1 to R4
Mr.L. Baskaran,
Government Advocate (Crl. Side)
for R5

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Heard Mr.S. Saravana Kumar, learned counsel for the petitioner. Mr.E. Sundaram, learned Government Advocate accepts notice for the respondents 1 to 4 and Mr.L. Baskaran, learned Government Advocate (Crl.Side), learned counsel accepts notice for the 5th respondent.

3. It is averred in the petition that the petitioner is providing private ambulance services at Government Stanley Hospital. It is the case of the petitioner that he has been restrained to operate ambulance services in the



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said hospital, whereas other private operators were permitted to do such services. In this regard, the petitioner submitted representation on 28.05.2024 ventilating his grievances to the respondents, but the same was not considered. Hence, the present writ petition.

4. Learned counsel for the petitioner submitted that except the petitioner, other private operators were permitted to operate ambulance services at the Stanley Hospital. Even though the petitioner re-addressed his grievances to the respondents by way of representation in the above regard, the same was not considered. Therefore, it would suffice, if a suitable direction is be issued to the respondents 1 to 4 to consider the petitioner's representation dated 28.05.2024, within a time frame stipulated by this Court.

5. Per contra, learned Government Advocate appearing for the respondents 1 to 4 submitted, on instructions that due to dispute arisen between various private ambulance operators, a committee has been constituted by the Dean of the said Hospital to decide the issue-in-question. Further, he submitted that during the pendency of such issue, it was resolved by the said committee that no private operators are allowed in the hospital premises. In view of the aforesaid submissions, he prays for dismissal of this writ petition.

6. Heard the learned counsel on either side and perused the materials



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available on record.

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7. It is an admitted fact that there was a dispute between the private ambulance operators for providing their services in the said hospital. However, it is clear from the submissions of the learned Government Advocate that the issue-in-question is under consideration by the respondent / Dean of the said hospital. Hence, the relief sought for by the petitioner cannot be granted as the case is in premature stage.

8. For the reasons aforesaid, this Court does not find any merit in this writ petition and accordingly, the same is dismissed. No costs. However, it is left open to the petitioner to submit a fresh representation, if the dispute between the various private ambulance operators are resolved.

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Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
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M.DHANDAPANI, J.



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