



WEB COPY



W.P.No.9700 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.9700 of 2024

K.Valarmathi

... Petitioner

Vs.

1. The Director,
The Office of the Joint Director of
Urban and Rural Welfare Services and Family Welfare,
Cuddalore.
2. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.
3. The District Collector,
Cuddalore District,
Cuddalore – 607 001.
4. The Medical Superintendent,
Government Head Hospital,
Manjakuppam,
Cuddalore.
5. The Medical Superintendent,
Government Hospital,
Panruti.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, to consider the representation of the petitioner dated 16.07.2021, consequently, direct the concerned respondent to declare petitioner's husband died due to “Corona death” and to corona relief benefits.

For Petitioner : Ms.T.Suriya
for Mr.A.Arvind Athithan

For R1 to R5 : Mr.K.Tippu Sulthan
Government Advocate

ORDER

The writ of mandamus has been instituted to direct the respondents to consider the representation submitted by the petitioner dated 16.07.2021.

2. The petitioner states that her husband died on 24.04.2021 at Government Hospital at Cuddalore.

3. Ms.T.Suriya, learned Counsel for Mr.A.Arvind Athithan appearing on behalf of the petitioner states that representations were sent to the respondents on 16.07.2021 stating that Covid-19 test had not been taken to the petitioner's husband and it is a lapse on the part of the Doctors. The petitioner states that that her husband died due to Covid-19.



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4. Therefore, the petitioner seeks a declaration that her husband died on account of Covid-19 and further, seeks a direction to respondents to settle the Covid-19 relief benefits.

5. The petitioner has not produced any medical documents to establish that her husband died due to Covid-19. That apart, the representation was submitted on 16.07.2021 and the present writ petition has been filed after a lapse of about 3 years. In the absence of any medical records to establish, this Court in exercise of the powers of the Judicial Review cannot declare that the husband of the petitioner died due to Covid-19.

6. Thus, the Writ Petition is devoid of merits and stands **dismissed** at the admission stage itself. No costs.

10.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda



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S.M.SUBRAMANIAM,J.

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