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W.P.(MD) No.12944 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.12944 of 2023

and

W.M.P.(MD)No.10964 of 2023

I.Kalanthar Ashik Ahamed

... Petitioner

-Vs-

1.The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George, Chennai.

2.The Deputy Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai.

3.The District Collector,
Office of the District Collector,
Ramanathapuram District.

4.The Deputy Director of Health Service,
Office of the Deputy Director of Health Service,
Ramanathapuram District.

5.The Associate Director of Health Service,
Office of the Associate Director of Health Service,
Ramanathapuram District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to demolish the damaged upgraded Primary Health Care Centre building in R.S.Mangalam Town Panchayat of Ramanathapuram District and consequently, direct the respondents to construct new upgraded Primary Health Care Centre building by considering the petitioner's representation dated 27.05.2023 within the period as stipulated by this Court.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.P.Thilakkumar,
Government Pleader

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

This Writ Petition is filed seeking for a direction to the respondents to demolish the damaged upgraded Primary Health Care Centre building in R.S.Mangalam Town Panchayat of Ramanathapuram District and consequently, direct the respondents to construct new upgraded Primary Health Care Centre building by considering the petitioner's representation dated 27.05.2023 within the period as stipulated by this Court.

2.Today, when the matter is taken up for hearing, the learned Government Pleader appearing for the respondents has produced some



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photographs, which shows that the construction progress of new upgraded Primary Health Care Centre is going on.

3.The learned counsel appearing for the petitioner has submitted that as per the report of the Assistant Executive Engineer, Public Works Department, Buildings (C&M) Division, Thiruvadanai submitted to the learned Principal District Judge, Ramanathapuram, dated 15.06.2023, totally 13 buildings are under dilapidated conditions, which are as follows:-

Sl.No	Name of Building	Year of Construction	Building Condition	Remarks
1	30 Bedded Ward	1989	Damaged Condition, Not fit for occupation	
2	X-Ray Block	1999	Partially Stable, Partly Damaged Condition	Stable-X Ray Room Damaged-Dark Room, Entrance Lobby and Reception
3	PHC Building	1999	Damaged Condition, Not fit for occupation	



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4	MCH Block	2016	Stable Condition, Maintenance & Repair Needed	Flooring, Wall, Ceiling, Doors and Windows Repairs Needed
5	Siddha Building	2018	Stable Condition, Maintenance & Repair Needed	Flooring, Wall, Ceiling, Doors and Windows Repairs Needed
6	A.N.M.Quarters	2006	Damaged Condition, Not fit for occupation	
7	Computer Operator Quarters	1999	Damaged Condition, Not fit for occupation	
8	Maternity Block	2016	Stable Condition, Maintenance & Repair Needed	Flooring, Wall, Ceiling, Doors and Windows Repairs Needed
9	P.N.Ward	2008	Damaged Condition, Not fit for occupation	
10	B.M.O.Quarters	1974	Damaged Condition, Not fit for occupation	
11	M.O.Quarters	1974	Damaged Condition, Not fit for occupation	



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12	B.E.E.Quarters	2003	Damaged Condition, Not fit for occupation	
13	Staff Quarters Nurse	2006	Damaged Condition, Not fit for occupation	

4.We have perused the said report dated 15.06.2023 submitted by the Assistant Executive Engineer, Public Works Department, Buildings (C&M) Division, Thiruvadanai. Therefore, in respect of those buildings, the respondents are directed to take necessary arrangements for sanctioning funds for construction of the buildings, which are not fit for occupation, within a period of six months from the date of receipt of a copy of this order. It is made clear that in respect of the buildings which are under construction, no further order is required and this order is only applicable to the buildings, which are not fit for occupation.

5.With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
13.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Yuva



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To

- 1.The Principal Secretary to Government,
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- 3.The District Collector,
Office of the District Collector,
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- 4.The Deputy Director of Health Service,
Office of the Deputy Director of Health Service,
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- 5.The Associate Director of Health Service,
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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

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