



W.P.(MD) No.22581 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.22581 2024

Kalaiarasan

...Petitioner

-VS-

- 1.State of Tamil Nadu Represented By,
The Secretary to Government,
Department of Health and Family Welfare,
Fort St. George, Chennai 600 009.
- 2.State Represented By,
The Director, Medical and Rural Health Services,
DMS Compound, Teynampet,
Chennai 600 001.
- 3.State Represented By
The District Collector,
Office of the District Collector,
Virudhunagar.
- 4.State Represented By,
The District Health Officer,
Office of the District Health Officer,
Sivakasi.
- 5.State Represented By,
The Deputy Director of Health Services,
Office of the Deputy Director of Health Services,
Virudhunagar.

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6.State Represented By,
The Joint Director of Medical
and Rural Health Services,
Office of the Joint Director of
Medical and Rural Health Services,
Virudhunagar.

7.P.Ramasamy

8.Dhanalakshmi @ Girija

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the respondents 3 and 6 take action against the 7th and 8th respondents for the treatment given to the patient by the doctor without valid qualification based on the representation dated 25.07.2024 to the 6th respondent and representation to the 3rd respondent on 29.07.2024 and 27.08.2024 evidences submitted by the petitioner during the enquiry on 14.08.2024 and consequentially restrain the 8th respondent from giving treatment to the patients of the 7th respondent hospital considering the well being of the patients.

For Petitioner : Mr.V.Muthumani

For R1 to R6 : Mr.D.Gandhiraj

Special Government Pleader



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ORDER

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Mr.D.Gandhiraj, learned Special Government Pleader, takes notice for the respondents 1 to 6. Considering the nature of order proposed to be passed in this writ petition, notice to the respondents 7 and 8 is dispensed with.

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

3.The case of the petitioner is that the seventh respondent is having a hospital in the name of 'Star Hospital' at Sattur Town. The hospital is managed by the petitioner and his sons. The eighth respondent is the wife of the seventh respondent and she is the Managing Director of the said hospital. However, the eighth respondent without any qualification is giving treatment to the patients in the seventh respondent Hospital. The petitioner has submitted a representation in this regard to the respondents 3 and 6 seeking to take appropriate action against the seventh and eighth respondents. Since the same was not considered, the petitioner has filed this writ petition.

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4.The learned counsel for the petitioner has also produced some photographs to show that the eighth respondent is giving treatment to the patients.

5.Taking note of the facts and circumstances of the case, this Court, without going into the merits of the matter, directs the third and sixth respondent to consider the representations of the petitioner dated 25.07.2024, 29.07.2024 and 27.08.2024 on its own merits and pass appropriate orders in accordance with law for initiating necessary action against the seventh and eighth respondents, if the contention of the petitioner is found to be true, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

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Index : Yes / No
Internet : Yes / No
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To

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Department of Health and Family Welfare,
Fort St. George,
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2. The Director,
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3. The District Collector,
Office of the District Collector,
Virudhunagar.
4. The District Health Officer,
Office of the District Health Officer,
Sivakasi.
5. The Deputy Director of Health Services,
Office of the Deputy Director of Health Services,
Virudhunagar.
6. The Joint Director of Medical
and Rural Health Services,
Office of the Joint Director of
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N.SATHISH KUMAR, J.

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