



W.P.(MD) Nos.11887 & 12077 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) Nos.11887 & 12077 of 2019

W.P.(MD) No.11887 of 2019:

A.Veronica Mary

... Petitioner

-VS-

- 1.The State of Tamil Nadu
rep.by the Principal Secretary
Health and Family Welfare Department
Fort St.George, Chennai-600 009
- 2.The State of Tamil Nadu
rep.by the Principal Secretary
Energy Department
Fort St.George, Chennai-600 009
- 3.Union of India
rep.by the Principal Secretary
Ministry of Health and
Family Welfare
New Delhi
- 4.The Director

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Directorate of Medical Education
162, EVR Periyar Salai
Keelpakam, Chennai-600010

5.The Dean
Madurai Government Rajaji Hospital
Madurai District-625 020

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents to take immediate action

a. to constitute special investigation team consisting bio medical engineers, team of doctors from All India Institute of Medical Science (AIIMS) Delhi, Professors from Indian Institute of Technology, senior police officials to conduct detail enquiry relating to the death of five victims by name 1.M.Malliga age 58, 2.P.Palaniammal aged 60, 3. K.Ravindran aged 52, 4.Arumugam age 48, 5.Chellathai age 55 years, who have died in the Madurai Government Rajaji Hospital, due to the power failure on 07.05.2019 and on 08.05.2019 and submit report before this Court and take action to prevent such incidents in future and take action against persons who are responsible for the said incident within the time stipulated by this Court.

b. to direct the respondents to constitute a special team of



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electrical engineers to inspect all the government medical college hospitals in the state of Tamil Nadu in order to ensure the quality of alternative power generators conditions and ensure to provide uninterrupted power supply to all government medical college hospitals in the State of Tamil Nadu with in the time stipulated by this Court.

c. to direct the respondents to constitute team of senior bio medical engineers and electrical engineers to inspect all Government Medical College Hospitals in the State of Tamil Nadu in order to ensure the working condition of ventilators, generators, Cathlab machines and all life saving medical equipment in the operation theatres, Intensive Care Units and emergency wards and submit report before this Court and take action to ensure the quality medical care for the patients with in the time stipulated by this Court.

d. to direct the respondents to pay fair and reasonable compensation to the families of the five victims by name 1.M.Malliga age 58, 2.P.Palaniammal aged 60, 3. K.Ravindran aged 52, 4.Arumugam age 48, 5.Chellathai age 55 years, who have died



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in the Madurai Government Rajaji Hospital, due to the power failure on 07.05.2019 and on 08.05.2019 within the time stipulated by this Hon'ble Court, in accordance with law within the time stipulated by this court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1, R2, R4 & R5
Mr.C.Nandagopal
Central Govt. Senior Panel Counsel for R3

W.P.(MD) No.12077 of 2019:

M.Manikandan

... Petitioner

-vs-

Principal Secretary to
Government of Tamilnadu
Public Works Department
Chennai

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to ensure that in all the Government Hospitals the entire electrical equipments especially the life saving one are constantly under the check and supervision of the

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Superintending Engineers (Electricals).

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.P.Thilakkumar
Government Pleader

COMMON ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

With reference to the prayer sought for in the present writ petitions, the Health and Family Welfare Department is bound to maintain the life saving equipments properly in the Government Hospitals and there should not be any lapses. Public health being a right of a citizen of our country, the Government is expected to maintain the Government Hospitals to save the life of the patients and therefore, life saving equipments are to be maintained properly and a constant supervision of the functioning of these equipments are to be monitored by the authorities competent to avoid any untoward incidents in the Government Hospitals. With regard to compensation, the same cannot be decided in a writ petition and it is for the aggrieved persons to work out their remedy.

2. With the above observations, these writ petitions are disposed



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of. No costs.

[S.M.S., J.]

[A.D.M.C., J.]

02.07.2025

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

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To:

- 1.The Principal Secretary,
Health and Family Welfare Department,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Principal Secretary,
Energy Department,
State of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 3.The Principal Secretary,
Ministry of Health and
Family Welfare,
Union of India,
New Delhi.
- 4.The Director,
Directorate of Medical Education,
162, EVR Periyar Salai,
Keelpakam,
Chennai-600010.
- 5.The Dean,
Madurai Government Rajaji Hospital,



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Madurai District-625 020.

6.The Principal Secretary to
Government of Tamilnadu,
Public Works Department,
Chennai.



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and
DR.A.D.MARIA CLETE, J.

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