



W.P(MD)No.17769 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2025

CORAM:

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

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C.Berlin

... Petitioner

Vs.

- 1.The State of Tamil Nadu, rep., by
The Principal Secretary,
Department of Health and Family Welfare,
State Secretariat, Fort St. George,
Chennai-600 009.
- 2.The State of Tamil Nadu, rep., by
The Director,
Department of Public Health and Preventive Medicine,
Directorate of Public Health and Preventive Medicine,
359, Anna Salai, DMS Complex, Teynampet,
Chennai-600 006.
- 3.The Municipal Commissioner,
Office of the Municipal Corporation,
Nagercoil, Kanyakumari District-629 001.
- 4.The District Collector/Chairman -
District Rural Development Agency,
Nagercoil, Kanyakumari District-629 001.
- 5.The Assistant Director,
Health and Sanitation Department,
Office of the Health and Sanitation Department,
Nagercoil, Kanniyakumari District-629 001.



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6.The Assistant Director,
Fisheries Department,
Nagercoil,
Kanyakumari District-629 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents

a) to establish Primary Health Care Centre in 'Kurumpanai, Kanyakumari District' as per the proposal pending before Respondent No.2 in Na.Ka.No.551/अ12/08, dated 09.02.200;

b) to establish the Primary Health Care Centres in 'Inayamputhanthurai' and 'Manakudi' in Kanyakumari District in accordance with law within the time that may be stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For RR1, 2 & 4 to 6: Mr.M.Sarangan
Additional Government Pleader

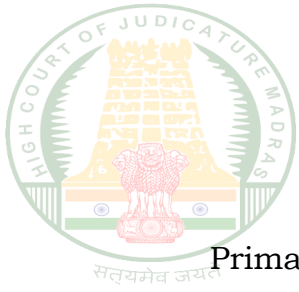
For R3 : Mr.P.Athimoolapandian

ORDER

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

The writ on hand has been instituted to direct the respondents

a) to establish Primary Health Care Centre in Kurumpanai, Kanyakumari District as per the proposal pending before Respondent No.2 in Na.Ka.No.551/अ12/08, dated 09.02.200; and b) to establish



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Primary Health Care Centres in 'Inayamputhanthurai' and 'Manakudi'
in Kanyakumari District in accordance with law.

2. The learned counsel for the petitioner would submit that a proposal was submitted for constructing Primary Health Care Centre in Kurumpanai, Kanyakumari District and the same is pending consideration.

3. Admittedly a Primary Health Care Centre is functioning in the nearby village at the distance of 10 kms as per the learned counsel for the petitioner. This being so, this Court cannot compel the Government or issue a direction to construct a Primary Health Care Centre, which is a policy decision to be taken by the Government considering various aspects. Since health care facilities are available in the nearby area, this Court is not inclined to consider the relief sought for by the petitioner. Therefore, this Writ Petition stands dismissed. However, there shall be no order as to costs.

J.]

[S.M.S., J.]

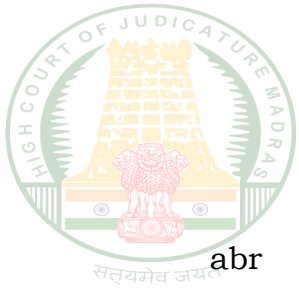
[A.D.M.C.,

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Index:Yes/No

NCC:Yes/No

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- 2.The Director,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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