

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND**

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

W.P (P.I.L).NO: 316 OF 2017

Between:

Chilukuri Paramathma,, S/o. Chenna Kistaiah, Hindu, aged 50 years, R/o. 6-9-91,
Raghavendra Colony, Hyderabad Road, Nalgonda.

.....PETITIONER

AND

1. State of Telangana, Rep.by its Chief Secretary, Secretariat, Hyderabad.
2. State of Telangana, rep. by its Principal Secretary, Medical and Health Department, Secretariat, Hyderabad.
3. Telangana State Medical Services Infrastructure, Development Corporation, Koti, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of respondents in not providing medical facilities like vaccines, oxygen availability, power supply including generators and not issuing pediatric drugs, incubators and 24 hours and availability of sufficient doctors and staff in the Governments Hospitals.

I.A.NO:1 OF 2017 (WP(PIL).MP.NO:606 OF 2017)

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to provide all the drugs immediately pending disposal of the above writ petition.

Counsel for the Petitioner : M/s JAYANTI S.C. SEKHAR

**Counsel for the Respondents : SRI S.RAHUL REDDY, SPL. G.P ADDL
ADVOCATE GENERAL**

The Court made the following ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SHRI JUSTICE J.SREENIVAS RAO

Writ Petition (PIL) No.316 of 2017

ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

None for the petitioner.

Mr. S.Rahul Reddy, learned Special Government Pleader attached to the office of the learned Additional Advocate General for the State of Telangana appears for the respondents.

2. Perused the record.
3. In this writ petition filed as a Public Interest Litigation (PIL), the petitioner seeks a writ of Mandamus to provide medical facilities like vaccines, oxygen, power supply including generators and pediatric drugs, incubators and 24 hours availability of doctors and staff in Government Hospitals in respect of infants.

4. The prayer made in the writ petition is extracted below for the facility of reference:

“to issue a writ, order or direction, more particularly one in the nature of writ of mandamus to declare the action of the respondents in not providing medical facilities like vaccines, oxygen availability, power supply including generators and not issuing pediatric drugs, incubators and 24 hours and availability of sufficient doctors and staff in the Government Hospitals and pass such other order or order as this Court may deem fit and proper in the circumstances of the case.”

5. It is evident that the prayer has been made in general terms and no particular instances have been pleaded.

6. Respondent No.3- Telangana State Medical Services Infrastructure Development Corporation has filed a counter, wherein in paras 4 to 9, it has been stated as under:

“4. In reply to Para 5, it is to respectfully submit that, the Petitioner's allegation of non availability of basic needs and emergency medicines is false

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and baseless. It is to submit that, as per the records, the list of Pediatric drugs/General Medicines available in the Central Medicine Stores of the TGMSIDC as on today is enclosed herewith (Annexure-1). These Medicines are distributed to each Health facilities, based on the indent placed by respective health facility on the real-time basis through e-aushadhi platform.

5. In reply to para 6, it is to respectfully submit that, the availability of Medical equipment and facilities for children in the Government Hospitals has been improved, upgraded and well maintained, during and after COVID-2019, in comparison with Pre-Covid period or by the date of this PIL filed.

6. It is also respectfully submit that, Special Newborn Care Units (SNCUs) is a Child Health Program in Telangana reflects a comprehensive approach aimed at improving the health and wellbeing of children from infancy through adolescence. The program's primary goals are to reduce child mortality and enhance overall health outcomes. This initiative includes the establishment of Special Newborn Care Units (SNCUs) to provide specialized care for newborns

with complications, such as preterm birth or low birth weight, who require critical medical attention. These child health units are equipped with advanced medical technology and staffed by trained healthcare professionals to handle neonatal emergencies effectively. Telangana has established 46 SNCUs, with 27 under the Directorate of Medical Education (DME) and 19 under the Telangana Vaidya Vidhana Parishad (TVVP).

7. Further, it is respectfully to submit that, 29 newly Dedicated Pediatric Care Units (DPCUs) are established at various Government Hospitals across Telangana State (List enclosed in ANNEXURE-II) with the services of 19 specialized Equipment (List enclosed in ANNEXURE- III), during 2021-22, to provide emergency pediatric treatment. Additionally, the state has created a Centre of Excellence (CoE) Niloufer Hospital, utilizing a hub-and spoke model to connect 28 peripheral SNCUs and 29 DPCUs. The CoE provides real-time support, virtual rounds, and continuous guidance to SNCU and DPCU staff, significantly enhancing the quality of newborn care and reducing morbidity

and mortality rates, as well as improving the Children Health.

8. However, regarding the details of equipment in (32) Hospitals mentioned by the Petitioner at para No.6, letters have been addressed to respective Heads of Department (DME & TVVP) to furnish the status in this regard. Soon this office receives information from the Heads of Department, the same will be submitted to the Hon'ble High Court. (letters addressing the HoDs are enclosed to the affidavit).
9. In view of the above, the Government has made all the possible efforts in providing medical facilities for effective Pediatric treatment, particularly by establishing the new DPCUs and by maintaining the SNCUs, in coordination with CoE at Niloufer Hospital, Hyderabad. In addition to this, the Government is also ensuring a sufficient equipment infrastructure and availability of drugs to provide service to the poor people in all Public Health facilities. Thus, the statements made by the Petitioner in his PIL regarding availability and maintenance of drugs, Equipment and Infrastructure in respect of the Children Healthcare in the state are incorrect.”

7. The aforesaid facts have not been denied on behalf of the petitioner by filing a reply.

8. Therefore, no further orders are required to be passed in this W.P.(PIL) and the same is, accordingly, dismissed. No costs.

9. As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to M/s. JAYANTI S.C.SEKHAR, Advocate [OPUC]
2. One CC to SRI S.RAHUL REDDY, SPL. G.P ADDL ADVOCATE GENERAL [OPUC]
3. Two CD Copies

SA
KKS

CHR

HIGH COURT

DATED:05/08/2024

ORDER

WP(PIL).No.316 of 2017



DISMISSING THE W.P(PIL)
WITHOUT COSTS.

⑤ CHR
27/9/24