

HIGH COURT OF ANDHRA PRADESH: AMARAVATI

CHIEF JUSTICE J.K. MAHESHWARI

&

JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION (PIL) No.83 of 2020

Dr. Koilagandla Niranjan, S/o.Lalaiah,
Aged 38 years, Civil Asst. Surgeon,
Primary Health Center, Alamuru,
Kurnool, Andhra Pradesh

... Petitioner

Versus

Union of India, rep. by its Prl. Secretary,
Dept. of Health & Family Welfare, Govt. of
India, New Delhi and others

... Respondents

Counsel for the petitioner : Sri M.Kiran Kumar

Counsel for R.1 : Sri B.Krishna Mohan, ASG

Counsel for R.2 and R.3 : The Advocate General

ORAL ORDER

Dt:26.03.2020

Per J.K. Maheshwari, CJ

This petition has been filed in the form of a public interest litigation by a Civil Assistant Surgeon working in Primary Health Center, Alamuru, Kurnool District, seeking directions against the competent authorities of the Central and State Governments to supply the precautionary equipment like N-95 masks, sterile medical gloves, starch apparels to all the Doctors, Nurses, Ward Boys and staff concerned within 24 hours, amidst the pandemic caused due to COVID-19, and maintain a register with regard to usage of those items.

Government Pleader representing the learned Advocate General on behalf of the State Government has stated that the State Government has already taken the necessary measures and if any other measures are required to be taken, the State Government is ready to take all such measures immediately on the demand of the Doctors. During the course of hearing, it has also been pointed out that the Doctors

and the Paramedical staff who are in the field and providing primary medical aid to the citizens must also be kept in isolation to prevent spreading of COVID-19.

After hearing learned counsel appearing on behalf of the parties, we are of the considered opinion that the State Government shall ensure to provide all necessary equipment like N-95 masks, sterile medical gloves, starch apparels, personal protection equipment and all other necessary things to all the Doctors, Nurses, Ward Boys and Paramedical staff. It is also observed that, on receiving the said personal protection equipment and accessories, the Doctors, Nurses and other Paramedical staff shall make proper use and ensure their due services to the citizens to cope-up the present situation of national importance. It is made clear here that this Court did not feel that the issue so raised is in the nature of adversarial litigation, looking to the seriousness of the health condition of the citizens of the country. In view of the appeal so made by the Hon'ble Prime Minister and the instructions so issued by the Central Government, Ministry of Home Affairs, dated 24.03.2020, it is the duty of the State authorities and their functionaries to provide necessary medical facilities to the citizens with all the above-said equipment and accessories, as and when required. The Doctors and the Paramedical staff are also supposed to do the needful to save the citizens of the society and the nation.

With the above observations, the writ petition stands disposed of. No order as to costs.

As a sequel, all the pending miscellaneous applications are closed.

J.K. MAHESHWARI, CJ
MRR

M. SATYANARAYANA MURTHY, J