

ITEM NO.1 VIRTUAL COURT NO. 1 SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA 48599/2020, in
Petition(s) for Special Leave to Appeal (C) No(s). 13419-
13421/2019

(Arising out of impugned final judgment and order dated 09-05-
2019 in WMP No. 14266/2019 09-05-2019 in WMP No. 14267/2019 09-
05-2019 in WMP No. 14268/2019 passed by the High Court Of
Judicature At Madras)

M/S BILLROTH HOSPITALS LTD Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU & ORS. Respondent(s)

(ONLY I.A NO. 48599/2020 APPROPRIATE ORDERS/DIRECTIONS TO BE
LISTED

Date : 27-05-2020 This application was called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. adv.
Mr. Samir Ali Khan, AOR
Mr. Bhuvan Mishra, Adv.
Mr. Abhimanyu Jhamba, Adv.

For Respondent(s) Mr. S. Nagamuthu, Sr. Adv.
rr.10 Mr. M.A. Chinnasamy, AOR
Ms. C.Rubavathi, Adv.
Mr. P. Krishnan, Adv.

rr.4 Mr. Balaji Srinivasan, AAG
Mr. T.R.B. Sivakumar, AOR

rr.5 Mr. Vinodh Kanna B., AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

By order dated 03.06.2019, this Court stayed the demolition of the 4th floor to the 8th floor of the petitioner-Hospital. This Court, however, did not permit the use of the 4th,5th,6th and 7th floors for any activity of the hospital, or for any other purpose because the said construction was found to be unauthorised and without sanction.

However, by this application the petitioner-Hospital has prayed for permission to use the 4th to 7th floors of the Hospital during the pendency of the present petition on the ground that the State of Tamil Nadu needs additional in-patient beds for treatment of the Covid-19 patients in view of the current pandemic.

Even though the need for using available space for the purpose of locating in-patient beds is legitimate and necessary, we see no reason why the said floors should be allowed to be used by the petitioner-Hospital. However, since the demand for additional space has been made by the State of Tamil Nadu, we consider it appropriate to permit the State of Tamil Nadu to use the said floors, i.e., 4th to 7th floors of the building for the purpose of dealing with the pandemic. The State of Tamil Nadu may utilize the services of any agency, including the petitioner-Hospital for the purpose of said

treatment.

This order, however, will not create any rights in favour of the petitioner-Hospital and have no bearing on the question of regularization of the said premises which is sought for in the petitions.

Order accordingly.

IA 48599/2020 is disposed of accordingly.

[CHARANJEET KAUR]
ASSTT.REGISTRAR-CUM-PS

[INDU KUMARI POKHRIYAL]
ASSTT. REGISTRAR