

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE A ABHISHEK REDDY**

WP(PIL) NO: 59 OF 2020

Between:

1. Prof. P.L. Vishweshwar Rao, Occ. Convenor, Telangana Democratic Forum and Vice President of Telangana Jana Samithi, R/o. H.No. 33-23/1, Officers Colony, Rama Krishnapuram, Secunderabad - 500056.
2. Dr. Cheruku Sudhakar, MBBS, S/o. Usha Goud, Occ. Doctor, H.No.14-70, V.T. Colony, Nakrekal, Nalgonda District, Telangana State - 508211

...Petitioners

AND

1. Union of India, Ministry of Health and Family Welfare, Maulana Azad Road, Nirman Bhavan, New Delhi - 110011.
2. The State of Telangana, Rep by Chief Secretary, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
3. The State of Telangana, Rep by its Principal Secretary to the Medical and Health Department, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
4. The State of Telangana, Rep by its Principal Secretary to the Finance Department, Telangana Secretariat, B.R.K.R. Bhavan, Hyderabad.
5. The State of Telangana, Rep by its Principal Secretary to the Civil Supplies Department, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
6. The State of Telangana, Rep by its Principal Secretary to the Labour Department, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
7. The Commissioner and Director, Medical and Health Department, Koti, Hyderabad, Telangana.
8. The Commissioner, Civil Supplies Department, Civil Supplies Bhavan, H.No.6-3-655/1/A, 3rd Floor, Punjagutta Road, Somajiguda, Hyderabad, Telangana.
9. The Labour Commissioner, State of Telangana, T. Anjaiah Bhavan, RTC X Road, Hyderabad.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus in declaring the inaction of the respondents in providing proper quarantine to the passengers, who came from Abroad to Telangana from 1st February, 2020 to 25th March, 2020 for 14 days and non-providing Medical Personal Protective Equipment (PPE), N-95 Masks to the Doctors, Para-Medical Staff, who are working in the Medical field in prevention of Spread of Covid-19 in the State of Telangana and also in non-import-non manufacture the Medical Equipment like Diagnosis kits of COVID-19, Ventilations, Personal Protective Equipment (PPE), N-95 Masks, Sanitizers etc., in protection of right to life of Public at large, and non-supplying the daily essential goods at reasonable prices like food-grains, vegetables, medicines etc., in door delivery to the public at large and non-providing daily essential food-grains, vegetables, fruits, Masks, medicines, shelter and minimum expenses etc., to the lakhs of Un-organized labour, beggars, Inter-State Migrant Labors, Orphans, Street Children, Destitutes, Nomadic Tribes, Semi -Nomadic Tribes and Hostel Students, who are non-registered in the white card scheme and living in the State of Telangana in the lock down period as illegal, arbitrary, discriminatory, unreasonable, unfair, unjust, unlawful, unconstitutional, whimsical, perverse, mockery and against to an Article 14, 19, 21 of Constitution of India and against to the Provisions of the Epidemic Diseases Act, 1897 and The Inter State Migrant Workmen Act, 1979 and other Labor Laws and against to the Catena of Judgments of an Apex Court and this Honble Court and Consequently, direct the respondents to quarantine the all passengers, who came from Abroad to Telangana by All ways (Airway, Railway and Road Transport) from 1st February, 2020 to 25th March, 2020 for 14 days and direct the respondents to either manufacture or import the large Scale Diagnosis Kits of COVID-19, N-95 Masks, kits of Personal Protective Equipment (PPE) and Ventilators to protect the lives of Doctors, Para-medical staff and Public at Large of Telangana, who are working in the field of prevention of Spread of Covid-19 and direct the respondents to provide daily minimum needs, like food grains, vegetables, fruits, shelter, N-95 Masks,

sanitizers and Minimum Expenses to the lakhs of unorganized labor, beggars, Inter-State Migrant Labour, Orphans, Street Children, Destitutes, Nomadic Tribes, Semi-Nomadic Tribes, Hostel Students, who are non-registered in the white card scheme and living in the State of Telangana and to direct the respondents to supply in door delivery daily need essential goods at reasonable prices like food-grains, vegetables, fruits, N-95 Masks, sanitizers, etc., and also direct the respondents to Diagnosis of COVID-19 to the people at home in lock down period till no COVID-19 Positive get into the record in the State of Telangana

This petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Prabhakar Chikkudu, Counsel for the petitioner and of Sri Namavarapu Rajeshwar Rao, Assistant Solicitor General on behalf of Respondent No. 1 and Sri B.S. Prasad, Advocate General on behalf of Respondent Nos. 2 to 7 and 9, and of Sri A. Jagan, Advocate for the respondent No. 8, the Court made the following:

ORDER

"Mr. Namavarapu Rajeshwar Rao, the learned Assistant Solicitor General, accepts notice on behalf of respondent No. 1. Mr. B.S. Prasad, the learned Advocate General accepts notice on behalf of respondent No. 2 to 7 and 9, and Mr. Jagan for respondent No. 8.

The learned Advocate General is directed to submit an interim report with regard to the issues raised by the petitioner in the writ petition. He is further directed to inform this Court with regard to the availability of Personal Protective Equipments ('PPE') to the Doctors, Medical Staff, Para-Medical Staff working in the hospitals throughout the State of Telangana. He is further directed to inform this Court about the concrete steps being taken by the State Government to ensure that daily consumable items, including food items, and medical items are made available to the public at large.

The interim report shall be submitted by April 09, 2020. He is further directed to submit a complete report on or before April 15, 2020.

List this case on April 09, 2020."

Sd/- THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
Sd/-SRI JUSTICE A.ABHISHEK REDDY

//TRUE COPY//


REGISTRAR (JUDICIAL) 06/04/20


SECTION OFFICER

To,

1. The Union of India, Ministry of Health and Family Welfare, Maulana Azad Rd., Nirman Bhavan, New Delhi - 110011.
2. The Secretary, State of Telangana, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
3. The Principal Secretary, Medical and Health Department, State of Telangana, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.

4. The Principal Secretary, Finance Department, State of Telangana, Telangana Secretariat, B.R.K.R. Bhavan, Hyderabad.
5. The Principal Secretary, Civil Supplies Department, State of Telangana, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
6. The Principal Secretary, Labour Department, State of Telangana, Telangana Secretariat, B. R. K.R. Bhavan, Hyderabad.
7. The Commissioner and Director, Medical and Health Department, Koti, Hyderabad, Telangana.
8. The Commissioner, Civil Supplies Department, Civil Supplies Bhavan, H.No.6-3-655/1/A, 3rd Floor, Punjagutta Road, Somajiguda, Hyderabad, Telangana.
9. The Labour Commissioner, State of Telangana, T. Anjaiah Bhavan, RTC X Road, Hyderabad.
(Addressees 1 to 9 by RPAD)
10. One CC to Sri Prabhakar Chikkudu Advocate [OPUC]
11. One CC to Sri A. Jagan, Advocate (OPUC)
12. One CC to Sri Namavarapu Rajeshwar Rao, Assistant Solicitor General (OPUC)
13. Two CCs to the Advocate General, High Court for the State of Telangana (OUT)
14. Two spare copies

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HIGH COURT

HCJ
&
AARJ

DATED: 06.04.2020

NOTE: POST ON 09.04.2020

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ORDER

WP(PIL).No.59 of 2020

DIRECTION

