

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR.JUSTICE N.NAGARESH

Friday, the 7th day of May 2021/17th Vaisakha, 1943WP(C) No.10997/2021PETITIONERS

1.DEVI SCANS (P) LTD

KUMARAPURAM, TRIVANDRUM - 695011, REPRESENTED BY ITS
MANAGING DIRECTOR, MR. NISARUDEEN.

2.JEEVA SPECIALTY LABORATORY

M.G. ROAD, THRISSUR, KERALA - 680004, REPRESENTED BY ITS
MANAGING PARTNER, MR. C. BALACHANDRAN.

3.MEDIVISION SCAN AND DIAGNOSTIC RESEARCH CENTRE PVT LTD

GROUND FLOOR, MERCY ESTATE, M.G. ROAD, RAVIPURAM, KOCHI -
682016, REPRESENTED BY ITS DIRECTOR, MR. BERLY CYRIAC.

4.R-CELL DIAGNOSTICS AND RESEARCH CENTRE

27/29E, FCC BUILDING, NEAR FEDERAL BANK TOWER,
ARAYIDATHUPALAM, KOZHIKODE, KERALA - 673016, REPRESENTED BY
ITS MANAGING PARTNER, MR. RUSSEL MOHAMMED.

5.SAROJ DIAGNOSTIC LABORATORY

OLIVE ARCADE, MALAPARAMBA JUNCTION, NEAR ASCENT ENT
HOSPITAL, KOZHIKODE, KERALA - 673009, REPRESENTED BY ITS
PROPRIETOR, MR. ARUN JYOTHISH K.C.

6.AZA DIAGNOSTIC CENTRE

STADIUM PUTHIYARA ROAD, OPP TO SABHA SCHOOL, CALICUT, KERALA -
673004, REPRESENTED BY ITS PARTNER, MR. JAVED ISLAM.

7.ASWINI DIAGNOSTIC SERVICE

CHINTHAVALAPPU JUNCTION, JAIL ROAD, CALICUT - 673004,
REPRESENTED BY ITS PARTNER, MR. A GEERISHAN,

8.JANATHA DIAGNOSTICS

TIRURANGADI P.O, CHEMMAD, MALAPPURAM DISTRICT - 676306,
REPRESENTED BY ITS GENERAL MANAGER, MR. ABDUL BASHEER.

9.DANE DIAGNOSTICS PVT.LTD

18/757, RC ROAD, NEADSHADIMAHAL, PALAKKAD - 678014, KERALA,
REPRESENTED BY ITS DIRECTOR, DR.M. SUSHAMA.

10.CENTRAL LABORATORIES

BUND ROAD, KUNJANI, THRISSUR - 680612, REPRESENTED BY ITS
MANAGING DIRECTOR, MR. ABILASH K.S.

RESPONDENTS

1.STATE OF KERALA

REPRESENTED BY ITS PRINCIPAL SECRETARY, HEALTH AND WELFARE DEPARTMENT, ROOM NO. 603, 6TH FLOOR, ANNEXE II, SECRETARIAT, THIRUVANANTHAPURAM - 695001,

2.UNION OF INDIA

REPRESENTED BY ITS SECRETARY, HEALTH AND FAMILY WELFARE, NIRMAN BHAVAN, NEW DELHI - 110011.

3.INDIAN COUNCIL FOR MEDICAL RESEARCH,

V.RAMALINGASWAMI BHAWAN, P.O BOX NO. 4911, ANSARI NAGAR, NEW DELHI - 110029. REPRESENTED BY ITS SECRETARY AND DIRECTOR GENERAL

4.KERALA MEDICAL SERVICES CORPORATIN LTD, THYCAUD PO,

THIRUVANANTHAPURAM - 14. REPRESENTED BY ITS MANAGING DIRECTOR.

5.SANDER MEDICAIDS PVT. LTD. 8-2-326/5, ROAD NO.3, BANJARA HILLS,

HYDERABAD - 5000034 ,REPRESENTED BY ITS MANAGING DIRECTOR

6.NATIONAL ACCREDITATION BOARD FOR TESTING AND CALIBRATION

LABORATORIES. NABL HOUSE, PLOT NO.45, SECTOR 44, GURUGRAM, HARYANA - 122003. REPRESENTED BY ITS CEO

Writ Petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to

- i. stay the operation and implementation of Exhibit P11 and all proceedings pursuant thereto, pending disposal of the writ petition.
- ii. stay the operation and implementation of Exhibit. P10, pending disposal of the writ petition.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S PAUL JACOB (P), SHERU PAUL, ADHIL HARRIS K Advocates for the petitioners and of ADDITIONAL ADVOCATE GENERAL, Advocate for the Respondent 1, the court passed the following

N. NAGARESH, J.

W.P.(C) No.10997 of 2021

Dated this the 07th day of May, 2021

For information purpose only
ORDER

Prima facie, it appears that the Government has arrived at the rates of RT-PCR tests after conducting a market survey and market study through the KMSCL. It is discernible from the statement filed by the respondents that the cost of PCR test including swab collection would come to Rs.135 - 240/- only. It is also stated that the charges in many of the other states in the Country including Haryana, Telangana and Uttarakhand are within the same range. Therefore, I do not find any reason to pass an interim order in this writ petition.

Sd/-
N. NAGARESH
JUDGE

SR

EXHIBIT P10 - TRUE COPY OF G.O(RT) NO.980/2021/H AND FWD DATED 30.04.2021
REVISING THE COST FOR RT PCR TEST TO RS. 500/-
EXHIBIT P11 - TRUE COPY OF THE ORDER NUMBERED AS GO(RT)
NO.393/2021/DMD DATED 01.05.2021.

For information purpose only

