

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATHI  
(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF MARCH  
TWO THOUSAND AND TWENTY

PRESENT

HONOURABLE THE CHIEF JUSTICE J.K. MAHESWARI  
AND  
THE HONOURABLE SRI JUSTICE M. SATYANARAYANA MURTHY

PUBLIC INTEREST LITIGATION NO: 83 OF 2020



Between:

Dr. KOILAGANDLA NIRANJAN, S/o. Lalaiah aged 38 years, Civil Assistant Surgeon,  
Primary Health Center, Alamuru, Kurnool, Andhra Pradesh

...PETITIONER

AND

1. UNION OF INDIA, Rep. by Principal Secretary, Department of Health and Family Welfare, Government of India, New Delhi
2. State of Andhra Pradesh, Rep. by its Secretary, Department of Health and Family Welfare Secretariat, Velagapudi, Amaravati
3. Commissionerate of Health and Family Welfare, Rep. by its Commissioner, 2nd Floor, B-Block, Himagna Towers, D.No. 189, LIC Colony, Adda Road, Gollapudi, Vijayawada Rural, Krishna District

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 Mandamus directing all the competent authorities under the Central Government and State Government to i) Supply Sterile N-95 Masks, Sterile Medical Gloves, Starch apparels (used by doctors) to all the doctors, Nurses, Ward Boys and other staff concerned within 24 hours amidst the pandemic caused due to COVID-19 ii) Maintain a register with regard to usage of the medical equipment including masks provided to tackle the outspread of COVID-19, iii) to provide safe accommodation/shelter to the medical staff concerned so as to prevent further outspread of virus to their family members and others.

IA NO: 1 OF 2020

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 dispense with the signatures of the petitioner in the above writ petition (Public Interest Litigation) taking into consideration of the scanned copies of the Vakalat duly signed by the petitioner

Counsel for the Petitioner: SRI. KIRAN KUMAR MADIRA

Counsel for the Respondent No.1: ---

Counsel for the Respondents 2 & 3: GP FOR MEDICAL & HEALTH FOR  
ADVOCATE GENERAL

The Court made the following: ORDER

HIGH COURT OF ANDHRA PRADESH: AMARAVATI

CHIEF JUSTICE J.K. MAHESHWARI

&

JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION (PIL.) (Sr.) No.11079<sup>8.3</sup> of 2020

Dr. Koilagandla Niranjana, S/o.Lalalaiah,  
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.

//TRUE COPY//

SD/-P.RAMA KRISHNA  
JOINT REGISTRAR



SECTION OFFICER

To

1. The Principal Secretary, Department of Health and Family Welfare, UNION OF INDIA, Government of India, New Delhi
2. The Secretary, Department of Health and family Welfare State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati
3. The Commissioner, Commissionerate of Health and Family Welfare, 2nd Floore, B-Block, Himagna Towers, D.No. 189, LIC Colony, Adda Road, Gollapudi, Vijayawada Rural, Krishna District
4. One CC to SRI. KIRAN KUMAR MADIRA, Advocate [OPUC]
5. One CC to SRI. B KRISHNA MOHAN (ASST SOLICITOR GENERAL OF INDIA) Advocate [OPUC]
6. Two CCs to GP for Medical & Health and Family Welfare, High Court of A.P.(OUT).
7. Two CD Copies

HIGH COURT

DATED:26/03/2020

ORDER

WP(PIL).No.83 of 2020

DISPOSING OF THE WP(PIL)  
WITHOUT COSTS

*4 Copies*  
*WJ*  
*26/3*

