

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.05.2016

CORAM

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE DR. JUSTICE S.VIMALA

HCP No.851/2016

Alagar @ Valarntha Alagar @ Alagarsamy ... Petitioner

Vs

- 1 The Secretary to Government  
Government of Tamilnadu  
Home [Prison IV] Department  
Fort St George, Chennai-9.
  - 2 The Additional Director General of Prisons  
Thalamuthu Natarajan Maaligai  
2<sup>nd</sup> Floor, Gandhi Irwin Road  
Egmore, Chennai-8.
  - 3 The Superintendent of Central Prisons  
Central Prison-I [convict]  
Puzhal, Chennai 66.
  - 4 The Nodal Officer  
Tamilnadu Government Multi Super  
Specialty Hospital, Omanthurar Estate  
Chennai.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Habeas Corpus directing the 4<sup>th</sup> respondent herein to provide admission and necessary Cardiac and Neuro Medical treatment to the petitioner namely Alagar @ Valarntha Alagar @ Alagarsamy, convict prisoner No.902, now confined in Central Prison-I, Puzhal, Chennai as per the reference made by Civil Assistant Surgeon, Puzhal, Chennai dated 31.03.2016.

For Petitioner : Mr.G.Jeremiah  
For Respondents: Mr.K.Prabhakar  
Government Advocate [Crl.Side]

ORDER

[Order of the court was made by K.K.SASIDHARAN, J.,]

The above Habeas Corpus Petition has been filed by the petitioner to admit him in any of the Super Specialty Hospital to undertake treatment for his Neuro and Cardiac problem.

2 According to the petitioner, he is suffering from heart ailment and Neuro complaints and as such, he is advised to have better treatment from a Super Specialty Hospital.

3 The Superintendent of Central Prisons, the third respondent herein, has filed a counter affidavit, contending that it would not be possible to admit the petitioner in the Tamil Nadu Government Multi Super Specialty Hospital, Chennai, for further treatment on account of the fact that the said Hospital does not have a Convict Ward to admit the prisoners. According to the Jail Superintendent, the petitioner would be admitted in the Government Hospital, at Royapettah, and if need arises, he will be taken to the Super Specialty Hospital.

4 The Superintendent of Central Prisons, Chennai, has also given an undertaking that the petitioner would presently, be admitted in the Government Hospital, Royapettah and in case of necessity, he would be taken to the Multi Specialty Hospital.

5 In view of the said undertaking, we direct the Superintendent of Central Prisons, Central Prison-I [Convict], Puzhal, Chennai, the 3<sup>rd</sup> respondent herein, to take the petitioner to the Government Hospital, at Royapettah, and admit him, subject to the opinion, to be given by the Medical Officer. It is made clear that in case, if the petitioner needs further treatment for his illness, necessarily, he will have to be given treatment in the Super Specialty Hospital, notwithstanding the fact that the Hospital does not have the Convict Ward.

6 The Habeas Corpus Petition is disposed of with the above direction.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

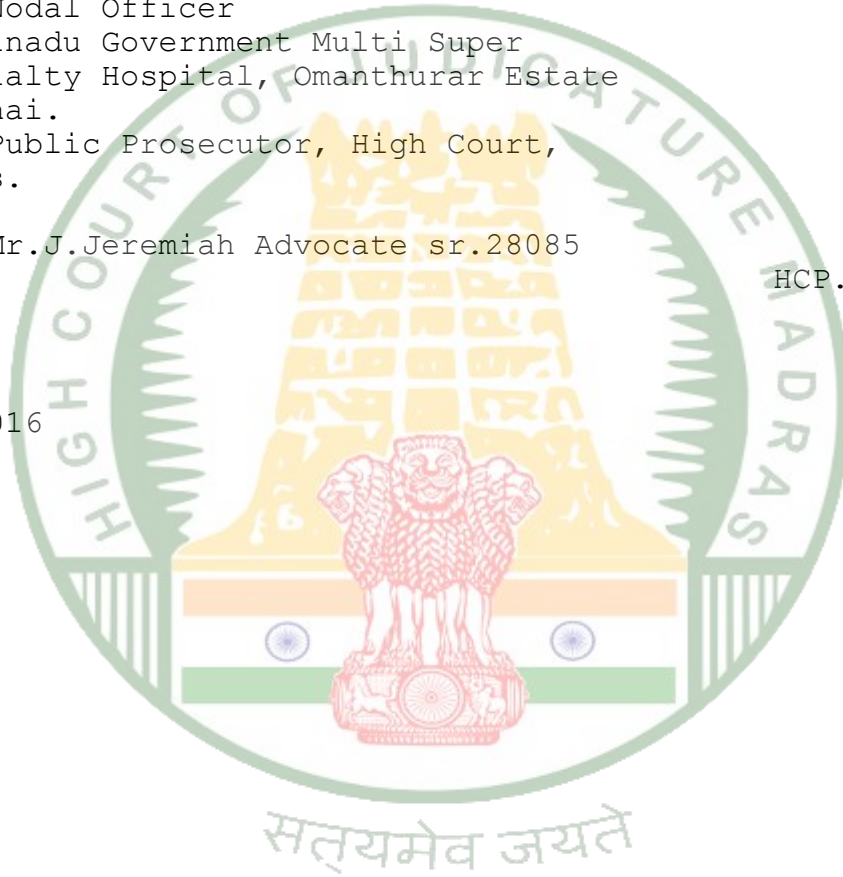
To

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- 4 The Nodal Officer  
Tamilnadu Government Multi Super  
Specialty Hospital, Omanthurar Estate  
Chennai.
- 5 The Public Prosecutor, High Court,  
Madras.

+1 cc to Mr.J.Jeremiah Advocate sr.28085

HCP.No.851/2016

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