

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

WP No.37838 of 2016

Parimala

.. Petitioner

Vs

1. The Secretary, Govt. of Tamil Nadu,
Health Department, Fort St.George,
Chennai-600 009.
2. The Chief Medical Officer,
Government Hospital,
Tiruttani Taluk, Thiruvallur District.
3. The Superintendent of Police,
Thiruvallur District, Thiruvallur. .. Respondents

Prayer:- Writ Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent herein to provide Discharge Summary and CCTV Camera Footage from 10.10.2016 to 11.10.2016 for admission of the petitioner's son taking treatment at the Hospital.

For Petitioner : Mr.K.Desingh

For Respondents : Mr.C.Emalias,

Addl. Public Prosecutor

ORDER

This writ petition has been filed with the following prayer:-

"seeking a direction to the second respondent to provide Discharge Summary and CCTV Footage from 10.10.2016 to 11.10.2016 for admission of the petitioner's son taking treatment at the Hospital."

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that the petitioner's son is the accused in Cr. No.475 of 2016 and there is also a counter case in

Cr.No.476 of 2016 against the opposite party. This petitioner's son was arrested by the respondent police in Cr.475 of 2016 and is now in prison.

4. It is the case of the petitioner that her son has been falsely implicated in the offence and therefore, she has prayed for some CCTV Footage and Discharge summary from the hospital.

5. In the considered opinion of this Court, the mandamus as sought by the petitioner, cannot be granted, because, it is the prerogative of the police to conduct investigation in both Cr.Nos.475 of 2016 and 476 of 2016 and find out who are all the actual offenders.

6. Hence, this writ petition is dismissed as being devoid of merits with a direction to the respondent police to conduct investigation in an unbiased manner and take action in accordance with law. No costs. Consequently connected Miscellaneous Petition is also dismissed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1. The Secretary, Govt. of Tamil Nadu,
Health Department, Fort St.George,
Chennai-600 009.
2. The Chief Medical Officer,
Government Hospital,
Tiruttani Taluk, Thiruvallur District.
3. The Superintendent of Police,
Thiruvallur District, Thiruvallur.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.K.Desingu,advocate,sr.62765.

br(co)
krd 8/12

WP No.37838 of 2016