



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD)No.9956 of 2018

Rajasekaran

... Petitioner

Vs.

1.The State represented by the
Home Secretary,
Home (Prison) Department,
St.George Fort,
Secretariat,
Chennai - 600 009.

2.Additional Director General of Prison,
A.D.G.P.Office,
Wanels Road, Egmore,
Chennai - 600 008.

3.The Deputy Inspector General of Police,
Madurai Range,
Arasaradi,
Madurai - 625 016.

4.The Superintendent,
Central Prison, Madurai,
Madurai - 625 016.

5.The Inspector of Police,
Thirdeer Nagar Police Station,
Madurai
(Crime No.2634 of 1991)

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus directing the respondents No.1 to 5 to grant medical leave to the petitioner by the fourth respondent in his order dated 24.04.2018 which expires on 01.05.2018 to extend the further period of 4 weeks from 01.05.2018 based on the petitioner's representation dated 24.04.2018.

For Petitioner

: Mr.R.Karunanidhi

For Respondents

: Mr.P.Kannidevan

Additional Government Pleader

O R D E R

This writ petition has been filed for the issuance of a writ of mandamus directing the respondents No.1 to 5 to grant medical leave to the petitioner by the fourth respondent in his order dated 24.04.2018 which expires on 01.05.2018 to extend the further period of 4 weeks from 01.05.2018 based on the petitioner's representation dated 24.04.2018.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents.

3. According to the learned counsel for the petitioner, the petitioner was admitted in Meenakshi Mission Hospital on 10.08.2016 and he was in ICU and the Doctor found that the petitioner was infected with SEPSIS and he was also affected with multi-organs damage. The petitioner had been regularly treated in ICU for nearly one month for SEPSIS, heart problems, prostrate, diabetes and breathing problems with multiple operations. The petitioner was affected by Left Ventricle Ejaculation Fraction (LVEF) and he was subsequently discharged. In such circumstances, the petitioners Left Ventricle Ejaculation Fraction (LVEF) is very less, the petitioner need angiography, but doctors could not operate due to his critical condition. The petitioner was in-patient from 10.08.2016 to 03.09.2016 for taking treatment at Meenakshi Mission Hospital.

4. Mr.A.Rathinavel, the Head of Department in Government Rajaji Hospital, Madurai, on 13.04.2018 has opined that CAG shows the petitioner was affected by left main Diffuse disease and CINE MRI shows EF 40% Lateral wall land IVS hypo is kinetic and the petitioner is having very high risk for CABG. So it is better to do EECF and follow up the case.

5. The petitioner made a representation through postal service on 24.04.2018 to the fourth respondent and thereafter, the petitioner has also made a representation to the first respondent on 25.04.2018 and since no orders have been passed, the petitioner is before this Court seeking the relief.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

7. This writ petition came for admission on 27.04.2018 and at the request of the learned Additional Government Pleader, the matter was adjourned today i.e on 28.04.2018 for getting instruction.

8. In view of the urgency for giving treatment to the petitioner the learned counsel for the petitioner has restricted his prayer to mould the relief and requested this Court to consider the petitioner's representation dated 25.04.2018 to the respondent and to pass orders.

<https://hcservices.ecourts.gov.in/hcservices/>

9.The first respondent is directed to take note of the above

said fact, that the petitioner is in critical stage of his life and consider the petitioner's representation dated 25.04.2018 on merits and in accordance with law, as expeditiously as possible, preferably on or before 09.05.2018.

10. The learned Additional Government Pleader is directed to communicate to the first respondent the Home Secretary, Home (Prison) Department, St.George Fort, Secretariat, Chennai - 600 009.

11. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To,

- 1.The Home Secretary,
Home (Prison) Department, St.George Fort,
Secretariat, Chennai - 600 009.
- 2.Additional Director General of Prison,
A.D.G.P.Office, Wanel Road, Egmore,
Chennai - 600 008.
- 3.The Deputy Inspector General of Police,
Madurai Range, Arasaradi, Madurai - 625 016.
- 4.The Superintendent, Central Prison,
Madurai, Madurai - 625 016.
- 5.The Inspector of Police,
Thirdeer Nagar Police Station, Madurai.

+1CC to Mr.R.Karunanidhi, Advocate, SR.No. 64818

W.P.(MD) No.9956 of 2018
28.04.2018

CM

AM/SV MMS/SAR 4/28.04.2018/3P/7C