

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06..08..2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice M.NIRMAL KUMAR

H.C.P.No.1338 of 2019

Indira ... Petitioner
Vs

1. State of Tamil Nadu
Represented by its Secretary,
Home (Prison) Department,
Fort St.George, Chennai - 600 009.
2. The Additional Director General of Police and
Inspector General of Prison
Tamilnadu Prison Department
Gandhi Irwin Road,
Egmore, Chennai - 600 008.
3. The Superintendent of Prison,
Central Prison-I,
Puzhal, Chennai.
4. The Superintendent of Prison,
Central Prison,
Palayankottai,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of habeas corpus, to direct the 2nd respondent to transfer the petitioner's husband namely Rajini @ Parthiban S/o. Rathinam aged 40 years life convict No.6125 from Central Prison, Palayankottai to Central Prison-I, Puzhal to enable him to take complete treatment of heart ailment.

For Petitioner ..Mr.M.R.Senthilkumar

For Respondents ..Mr.C.Iyyapparaj
Additional Public Prosecutor

ORDER

(Order of the Court was delivered by M.M.SUNDRESH, J.)

The petitioner, who is the wife of the convict seeks re-transfer of the convict on the health ground.

2. A reliance has been made on the medical record of the convict dated 08.06.2017. On present examination coupled with the Cardiologist recommendation, the Medical Officer has opined that the medication would be sufficient.

3. The learned counsel for the petitioner submitted that Treadmill has been done. Depending upon the test undertaken or to be undertaken, decision will have to be taken as to whether the convict requires surgery procedure, and, if surgery is required, the respondents shall make necessary arrangements to undergo surgery. However, we do not find any reason to re-transfer the convict on the health ground as there are sufficient facilities available at Government General Hospital, Tirunelveli.

4. In the result, this Habeas Corpus Petition is disposed of accordingly with the above directions.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kmk/msrm

To

1.The Secretary, Home (Prison) Department, Fort St.George,
Chennai - 600 009.

2.The Additional Director General of Police and Inspector
General of

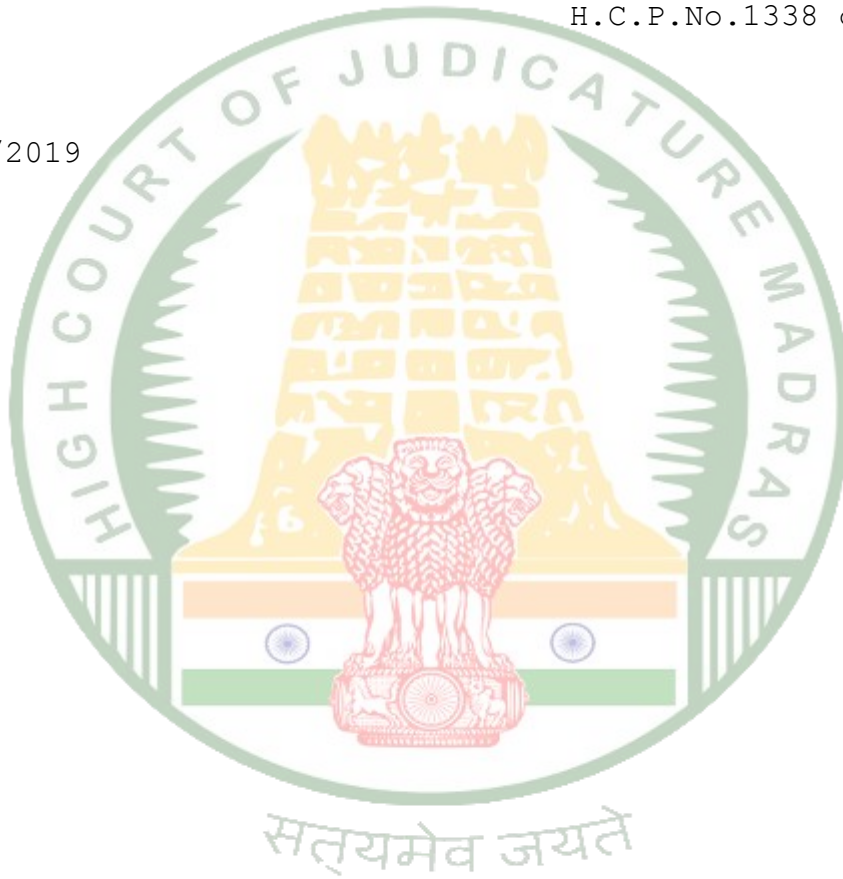
Prison Tamilnadu Prison Department Gandhi Irwin Road,
Egmore,
Chennai - 600 008.

3. The Superintendent of Prison, Central Prison-I, Puzhal,
Chennai.

4. The Superintendent of Prison, Central Prison, Palayankottai, Tirunelveli District.
5. The Joint Secretary to Government, Public (Law and Order) Department, Secretariat, Fort St. George, Chennai 600009.
6. The Public Prosecutor, High Court of Madras, Madras.

H.C.P.No.1338 of 2019

mp[co]
srg 17/09/2019



WEB COPY