

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

H.C.P. No. 2323 of 2019

Ganesan

... Petitioner

-vs-

- 1.The Superintendent of Prison,
Puzhal, Central Prison,
Puzhal, Chennai - 66.
- 2.The Dean,
Government Stanley Hospital,
Chennai - 600 001.
- 3.The Principal Secretary,
Home Department,
State of Tamil nadu, Secretariat,
Fort St.George, Chennai - 600 009.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the first respondent to give proper medical treatments to the detenu Suganraj and admit him in a Private Hospital for surgery based on his (Petitioner) Representation Letter dated 11.10.2019.

For Petitioner : Mr.K.Yuvaraj

For Respondents : Mr.R.Prathap Kumar
Addl. Public Prosecutor

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner, who is the father of the detenu has come forward to file this Habeas Corpus Petition seeking urgent surgery for the fracture sustained by him.

2. The learned Additional Public Prosecutor placing reliance upon the affidavit filed along with the documents submitted that it is the detenu who is not willing for the surgery by not cooperating with the Doctors.

3. The learned counsel appearing for the petitioner, while refuting the aforesaid averment and the documents filed, submitted that the detenu is ready and willing to undergo the treatment.

4. Incidentally, one more submission has been made by the learned counsel for the petitioner that the petitioner may be permitted to take care of the detenu during the period of the operation and thereafter till he recuperate in the Hospital.

5. Considering the above, we are inclined to dispose of the Habeas Corpus Petition by directing the detenu to cooperate and undertake the surgery at Government Stanley Medical College and Hospital, Chennai.

6. We also permit the petitioner to present in the Hospital for the purpose of giving adequate care and assistance to the detenu during his stay. We also make it clear that all other procedure are to be followed by the respondents including the hospital authorities.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Prison,
Puzhal, Central Prison,
Puzhal, Chennai - 66.

2.The Dean,
Government Stanley Hospital,
Chennai - 600 001.

3.The Principal Secretary,
Home Department,
State of Tamil Nadu, Secretariat,
Fort St.George, Chennai - 600 009.

4.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.K.Yuvaraj, Advocate sr.90135

H.C.P. No. 2323 of 2019

gmr(co)
nr 01/11/2019



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