

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P No.32001 of 2019

and

WMP.No.32247 of 2019

P.Maheswari

.. Petitioner

Vs.

1.The Deputy Inspector General of Prisons,
Vellore Range, Ramset Nagar, Thorapadi
Vellore District.

2.The Superintendent of Central Prison,
Vellore Central Jail,
Vellore District.

.. Respondents

PRAYER:-Writ Petition filed under Article 226 of Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to accommodate the convicted prisoner in CP.NO.3602 namely Pandian S/o.Devaraj aged about 68 years at second respondent prison to private hospital for the purpose of surgery and giving treatment for the serious medical ailments.

For Petitioner : Mr.J.Vijayaraja

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

This Writ Petition is filed to direct the second respondent to accommodate the convicted prisoner in CP.NO.3602 namely Pandian S/o.Devaraj aged about 68 years at second respondent prison to private hospital for the purpose of surgery and giving treatment for the serious medical ailments.

2.The petitioner herein is the wife of the convicted prisoner in CP.NO.3602. It is her case that her husband is suffering from severe medical illness and therefore, seeks for having him accommodated at the prison hospital for the purpose of surgery or treatment.

3.The learned Additional Public Prosecutor on instructions produced a medical report issued by Assistant Surgeon of the hospital attached with the jail and submitted

that the petitioner's husband health condition is stable and he is following his regular medicines.

4. A perusal of the medical report also shows that the petitioner's husband has complaints of difficulty in walking and is now walking with support. It is the specific case of the petitioner that owing to earlier hip replacement, surgery was recommended by a private doctor on 21.12.2018 and that he is unable to sit or freely move about. In such a medical condition, it would be appropriate to refer the petitioner to Government Medical College and Hospital, Adukamparai, Vellore, for the purpose of medical examination and treatment. This Court is of the view that any further order or directions can be given only after obtaining necessary medical opinion.

5. In the light of the above observations, the second respondent herein is directed to grant seven (7) days ordinary leave to the petitioner for the purpose of enabling him to refer the Adukumparai Government Hospital, Vellore, with minimum escorts. The petitioner herein shall bear the costs of such escorts.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

vkr

To

1.The Deputy Inspector General of Prisons,
Vellore Range, Ramset Nagar, Thorapadi
Vellore District.

2.The Superintendent of Central Prison,
Vellore Central Jail, Vellore District.

3. The Dean
Adakumpari Government Hospital and Medical College,
Vellore.

4.The Public Prosecutor, High Court, Madras.

+lcc to Mr.J.Vijayaraja, Advocate SR.No.95851

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SPD(CO)
GMY(19/11/2019)