

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. No. 6149 of 2020

L.Palanisamy

.. Petitioner

/versus/

1.The State of Tamil Nadu
Represented by its Secretary to Government,
Home Department,
Secretariat,
Fort St.Geroge,
Chennai 600 009.

2.The Director General of Prisons,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore,
Chennai 600 008.

3.The Superintendent of Prisons,
Central Prison,
Gandhipuram,
Coimbatore 641 018.

4.The Sub Inspector of Police,
Uthiyur Police Station,
Tiruppur District.

5.The Director,
Institute of Mental Health,
Medavakkam Tank Road,
Kilpauk, Chennai 600 010.

.. Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to forthwith shift petitioner's mentally retarded son P.Muthukumar (Remand Prisoner No.875) now confined at

Central Prison, Coimbatore and present him before the expert Medical Board comprising of a qualified Psychiatrist at the 5th respondent Institute of Mental Health, Kilpauk, Chennai enabling him to conduct thorough medical examination to assess and submit a status report on mental health condition of the petitioner's son after considering the representations of petitioner dated 26.12.2019 and 18.02.2020 in accordance with law and on merits expeditiously within a time frame as may be stipulated by this Court.

For Petitioner : Mr.C.E.Pratap

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The prayer sought for in this writ petition is to issue a Writ of Mandamus directing the 3rd respondent to forthwith shift petitioner's mentally retarded son P.Muthukumar (Remand Prisoner No.875) now confined at Central Prison, Coimbatore and present him before the expert Medical Board comprising of a qualified Psychiatrist at the 5th respondent-Institute of Mental Health, Kilpauk, Chennai, enabling him to conduct thorough medical examination to assess and submit a status report on mental health condition of the petitioner's son, after considering the representations of petitioner dated 26.12.2019 and 18.02.2020 in accordance with law and on merits expeditiously within a time frame as may be stipulated by this Court.

2.Without going into the merits of the case and considering the facts and circumstances of the case, the third respondent is directed to consider the representations of the petitioner dated 26.12.2019 and 18.02.2020 and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

3.With the above direction, this Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu,
Home Department,
Secretariat,
Fort St.Geroge,
Chennai 600 009.

2.The Director General of Prisons,
CMDA Tower-II,
No.1, Gandhi Irwin Road,
Egmore,
Chennai 600 008.

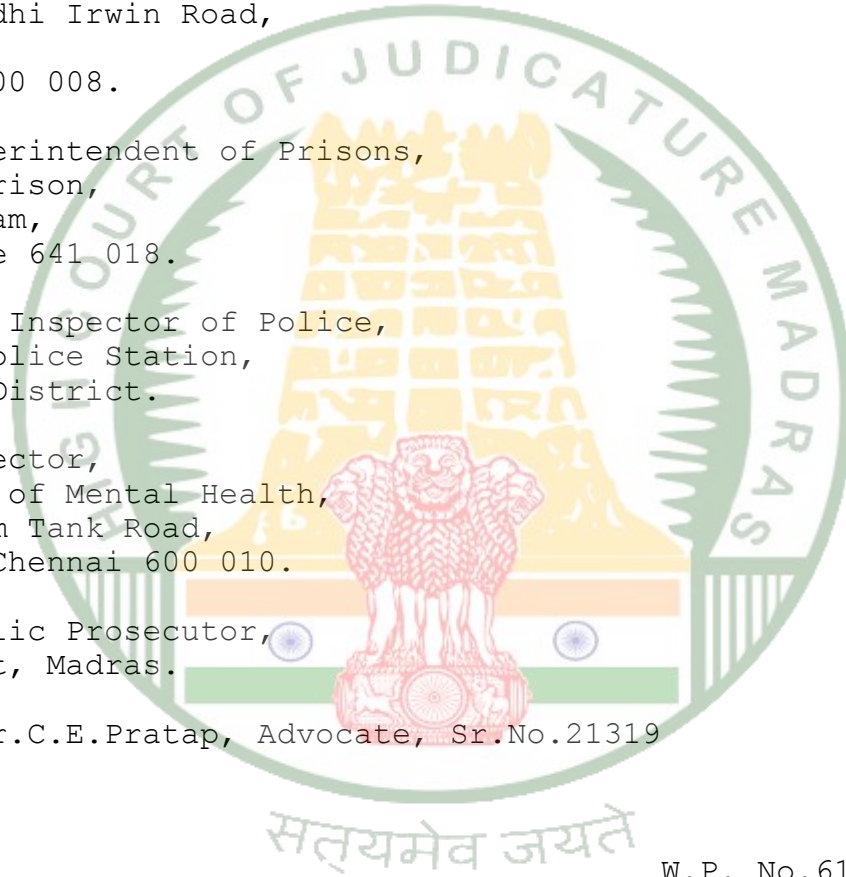
3.The Superintendent of Prisons,
Central Prison,
Gandhipuram,
Coimbatore 641 018.

4.The Sub Inspector of Police,
Uthiyur Police Station,
Tiruppur District.

5.The Director,
Institute of Mental Health,
Medavakkam Tank Road,
Kilpauk, Chennai 600 010.

6.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.E.Pratap, Advocate, Sr.No.21319



W.P. No.6149 of 2020

MR(CO)
GS(03/08/2020)

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