

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.05.2020

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THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

WP.No.7498 of 2020 & WMP.No.8940 of 2020

United Labour Federation  
represented by its President  
4<sup>th</sup> Floor, CJ Complex,  
149, Thambu Chetty Street  
Chennai 600 001.

.. Petitioner

Versus

1.The State of Tamil Nadu  
rep.by its Chief Secretary  
Fort St George, Chennai 600 009.

2.Union of India

Ministry of Home Affairs  
North Block, New Delhi 110 001.

.. Respondents

**Prayer:-** Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus , directing the respondents to frame a suitable action plan to ensure that the movement of

goods into Tamil Nadu does not result in an increase of COVID-19 infections by putting in place adequate safety and preventive measures and ensuring implementation of the same.

For Petitioner : Mr.V.Prakash, Sr. Counsel for  
Mr.Goutham S. Raman  
For R1 : Mr.V.Jayaprakash Narayan, GP  
For R2 : Mr.G.Rajagopalan,  
Asst.Solicitor General of India

ORDER

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

- (1) This Court, in continuation and in conjunction with the earlier orders, is passing the following order.
- (2) It is relevant to extract paragraph No.19 of the Status Report of the 1<sup>st</sup> respondent dated May 2020 as well as page No.73 of the Annexure I:-

*"19.It is humbly submitted that throughout all the 3 phases of the lockdown period, i.e., from 25.03.2020 to 17.05.2020, at every state border and every district border, check points have been put up and a team comprising of health department officials including Primary Health Clinic Doctors, nurses etc., are stationed and conduct thermal screening and symptom check on the driver and passenger, if any, of every vehicle (including trucks carrying*

*essential commodities). Further the vehicles are disinfected (including trucks carrying essential commodities) by the Local Authorities at every check point."*

**Communication of the Public [SC] Department:-**

**CONFIDENTIAL/**  
**MOST IMMEDIATE**

***Secretariat,***  
***Chennai-9.***

**PUBLIC [S.C.] DEPARTMENT**

**Letter No.CSCR/130-205/2020**

**Dated 11.05.2020**

*From*  
*Thiru K.Shanmugam, IAS*  
*Chief Secretary to Government.*

*To*  
*The Additional Chief Secretaries to Government.*  
*Revenue & Disaster Management, Home, Prohibition*  
*& Excise, Tourism, Culture & Religious*  
*Endowments Department, Chennai-9.*  
*The Principal Secretary to Government, PWD,*  
*Highways and Housing & Urban Development*  
*Chennai-9.*  
*The Secretary to Government, Health & Family*  
*Welfare Department, Chennai-9.*  
*The Director General of Police, Chennai-4.*  
*The Principal Secretary/Commissioner of*  
*Revenue Administration, Chennai-5.*  
*The Commissioner, Greater Chennai Corporation*  
*Chennai-3*  
*All District Collectors.*

*Sir/Madam,*

*Sub : COVI-19 – Testing and Quarantine*  
*Guidelines for Incoming Persons -*  
*Revised Orders – Reg.*

Ref : 1) Order No.40-3/2020-DM-I[A] from  
Ministry of Home Affair date 5.5.2020.  
2) Lr.No.CSCR/130-178/2020, Public (SC)  
Department dated 6.5.2020.  
3) Lr.No.CSCR/130-186/2020, Public (SC)  
Department dated 7.5.2020.

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In the references cited, guidelines regarding movement of Indian Nationals stranded within and outside the country, were communicated. The guidelines have been reviewed with reference to the prevailing situation and accordingly revised as follows:-

**A) Persons coming to Districts from other Districts in Tamil Nadu:-**

- Testing be done only for those coming with symptoms.
- All the individuals to undergo home quarantine for 14 days.

**B) Persons from other States / Union Territories:-**

- Testing be done on all persons coming into Tamil Nadu from all the States/UTs. If they test positive, they be taken to a hospital. In case, if the result is negative, such persons be continued in institutional quarantine facility for 7 days, in respect of persons coming from Hot spots [Delhi, Gujarat, Maharashtra]. After 7 days, if the individuals display no symptom, they can be sent to home for home quarantine, or continued in Government quarantine, if the individual does not have facilities at home for the remaining 7 days as well.
- Persons from other States [non-hot spot States] who test negative, may be sent for home quarantine or institutional quarantine, if facilities are not available in their home for 14 days.

**C) Persons from other Countries:**

- All persons on arrival be tested, and if the test result is positive, they be taken to hospital. In case if the result is negative, they can be kept in institutional quarantine/hotels for seven days. After seventh day, a second test be taken and if that test result is also negative, they can be sent for home quarantine for 14 days.

**D) Exemption categories:**

- Representations have been received from some

*quarantined individuals seeking medical assistance. The Government reviewed the same and accordingly, the following four categories of passengers may be released for home quarantine/hospital quarantine after initial testing, with an undertaking that if the test result is positive, they shall immediately admit themselves in hospital.*

- i. Terminally ill and individuals requiring immediate medical attention in a hospital.*
- ii. Persons who are due to attend the funeral and ritual associated with death of immediate family member.*
- iii. Pregnant women.*
- iv. Elderly persons over the age of 75 years and requiring assistance.*

*All the above four categories claiming medical emergency will be subjected to check up by a medical team to confirm the emergency. Relaxation will not be given for any other category. Persons who want exemption in the above categories, must submit full details along with their representation in advance to the concerned authorities.*

*Yours faithfully,*

*For Chief Secretary to Government*

**Copy to:-**

*The Principal Secretary to Government [FAC]  
Public & Rehabilitation Department, Chennai-9.  
The Pri.Private Secretary to Chief Secretary to Government,  
Chennai.-9."*

(3)The above cited letter of the Public [S.C.] Department dated 11.05.2020, in the considered opinion of the Court, takes care of the apprehension expressed by the petitioner. Therefore, no orders are necessary in this

writ petition.

(4) Accordingly, the writ petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

[M.S.N.,J] [A.S.M., J]  
18.05.2020

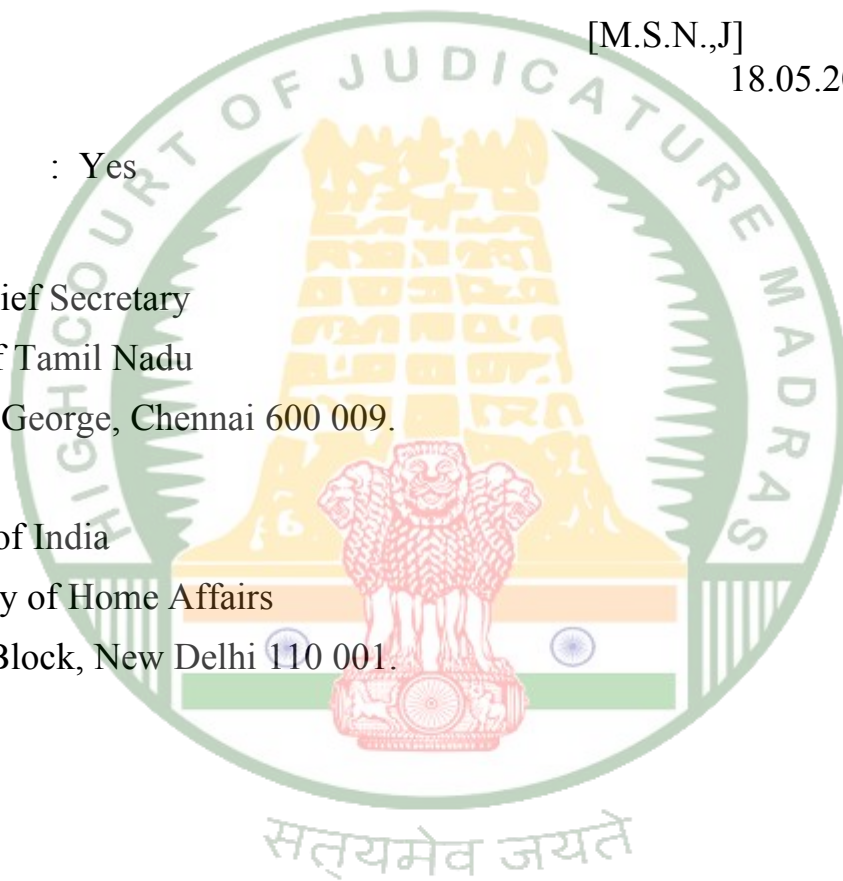
AP

Internet : Yes

To

1.The Chief Secretary  
State of Tamil Nadu  
Fort St George, Chennai 600 009.

2.Union of India  
Ministry of Home Affairs  
North Block, New Delhi 110 001.



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M.SATHYANARAYANAN, J.,  
AND  
DR. ANITA SUMANTH, J.,  
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