

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.7613 of 2020

and W.M.P.Nos.10377 & 8937 to 8939 of 2020

A.S.Bilal, Advocate

.. Petitioner

-vs-

1. The Chief Secretary,
Govt. of Tamilnadu,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Secretary to Govt. of Tamilnadu,
Health and Family Welfare Dept.,
Fort St. George, Secretariat,
Chennai 600 009.
3. The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai 600 004.
4. The Commissioner of Police,
EVK Sampath Road, Egmore,
Chennai 600 007.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to the respondents for the need of "Effective Thermal Virus Scanner phone app check", for the people by using their phone to do the virus check and receiving effective virus results as done in China and followed by advance nations to stop the virus soon as stated and "Thermal cameras" with facial recognition high ace technology to install in public places to detect the virus effectively in crowded places the state Government with arrangement to coordinate with Giant top software and Technology companies at Chennai to create an phone software application also known as APP, for the public and all over India, it may be followed and recommended to scan the virus and permit the person who has only Green code as mentioned to go outside without chance of further spread of virus and to stop the virus spread soon as followed by China and few Advanced nations with advanced technologies and stopped the virus.

For Petitioner : Mr.AKS.A.S.Bilal
Party-in-person

For Respondents : Mr.S.R.Rajagopal
Addl. Adv. General,
assisted by
Mr.V.Jayaprakash Narayanan
State Govt. Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard learned counsel for the petitioner and learned Additional Advocate General for the respondents.

2.This petition has been filed by a learned advocate contending that a mandamus be issued to the respondents in order to procure and install effective thermal virus scanner phone app check as well as cameras for an effective detection of virus cases during the current pandemic of COVID 19.

3.The submission is that such technologies can be effectively deployed in order to detect and meet the challenge of the virus as it will help in locating it and then taking appropriate steps for eradicating the same. It is also the contention of the petitioner that it has been internationally accepted in most of the worst affected countries throughout the world and therefore, such a device would be helpful in India as well. The prayer, therefore, is that the same should also be adopted by the Government of Tamil Nadu and arrangements be made in order to meet the challenge of the virus with such technological devices.

4.Having considered the submissions raised, we are of the opinion that this is a matter of technical expertise and also a matter of policy decision to be taken by those who have been empowered by the Government to take a decision on the procurement of any such equipments that may be necessary for meeting the challenge of the virus.

5.The learned Additional Advocate General states that the same can be looked into by the respective Disaster Management Committee set up by the State Government or the authority concerned and therefore, the matter has to be examined only at such levels as it is a matter of policy and also a matter of expert decision about the acceptability and procurement of such devices.

We, accordingly, dispose of this petition with liberty to the State Government to get the same examined by the competent authority and take an appropriate decision in the larger interest of the pandemic for meeting the challenges in the event the said suggested device would be helpful or otherwise be effective in detecting the virus and taking appropriate steps for its timely eradication. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

sra

To

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Chennai 600 009.
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