



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.26259 of 2021

V. Amudha

...Petitioner

Versus

1. The Deputy Commissioner of Police,
Triplicane Police District,
Triplicane,
Chennai 600 005.

2. The Inspector (L & W),
D-1, Triplicane Police Station,
Triplicane,
Chennai 600 005.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India to direct the 2nd respondent to consider the representation dated 05.11.2021 and pass such further order deem fit.

For Petitioner : Mr. R.Ravindra Ram

For Respondents: Mr. R.Vinothraja,
Government Advocate (crl.side)

ORDER

This Writ Petition has been filed to consider the petitioner's representation dated 05.11.2021.

2. The learned counsel for the petitioner submitted that petitioner's husband S.Vinodkumar is working in the office of the Central Land Survey Department as senior Draughtsman. He developed hallucination, speaking to himself and also making loud noise, which caused annoyance to the petitioner and others and hence, the petitioner along with children now staying in her parents' house. Since the behaviour continues in his office, the employees, working along with him, made complaint against him. Thereafter, the higher officials directed him to conduct complete medical check up in the Rajiv Gandhi Government Hospital and notice dated 27.10.2021 was sent to him to appear



before the Medical Board on 03.12.2021. Though the petitioner attempted several times to bring him for medical examination, all ended in vain. Hence, the petitioner representation on 05.11.2021 to the respondents to take her husband and produce him before the Medical Board for medical examination. But, no action was taken so far. Hence, the present petition.

3. The learned Government Advocate (crl.side), on instructions, submitted that the petitioner has sent a representation through post. In the representation, there is no reference as to where her husband, S.Vinodkumar, is residing and his whereabouts not mentioned. To verify and locate the same, the petitioner to necessarily appear and give particulars. Hence, the petitioner was asked to appear before the respondent police to produce medical records and furnish other particulars. He further submitted that as per the Mental Health Act, the first respondent Deputy Commissioner of Police, is the authority to take action to issue proper orders. Therefore, it is necessary that the petitioner to appear before the first respondent with the complaint and along with supporting documents.

4. The learned for the petitioner, on instruction from the petitioner, submitted that the petitioner shall appear before the first respondent police on 20.12.2021, along with the copy of the complaint and other documents.

5. In view of the same, the petitioner to appear before the first respondent/The Deputy Commissioner of Police, Triplicane, on 20.12.2021, along with the copy of the complaint and other documents. Thereafter, the first respondent to take appropriate action and produce the petitioner's husband before the Medical Board and ensure that the petitioner's husband is given proper treatment take appropriate steps ensure that he is not a threat to others safety.

6. With the above directions, this Writ Petition is disposed of.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mrp



To

1. The Deputy Commissioner of Police,
Triplicane Police District,
Triplicane, Chennai 600 005.

2. The Inspector (L & W),
D-1, Triplicane Police Station,
Triplicane, Chennai 600 005.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.RavindraRam, Advocate, S.R.No.66188

W.P.No.26259 of 2021

VG-II(CO)
RGA(30/12/2021)