



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2021**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P (MD)No.3690 of 2021

Sethupathiraja

:Petitioner

.vs.

1.The Deputy Inspector General (Prisons),
Madurai Circle,
Madurai-625 016.

2.The Superintendent,
Central Prison,
Madurai-625 018.

3.The Dean,
Government Rajaji Hospital,
Madurai.

4.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant Parole for one month to the petitioner's father, namely, Ramachandran, Life Convict (CP No.5439/2014) detained as convicted prisoner in Central Prison, Madurai.

For Petitioner

:Mr.S.Veeranasamy

For Respondents

:Mr.R.Anandharaj

Additional Public Prosecutor

O R D E R

[Order of the Court was made by **K.KALYANASUNDARAM., J.**]

This writ petition has been filed for issuance of writ of mandamus directing the respondents 1 & 2 to grant Parole for a period of one month to the petitioner's father, namely, Ramachandran, Life Convict (CP No.5439/2014) detained as convicted



prisoner in Central Prison, Madurai.

2. Mr.S.Veeranasamy, learned counsel appearing for the petitioner would state that the petitioner's father was convicted, for commission of murder, by the learned Sessions Judge and his appeal was also dismissed by this Court and he has filed an appeal before the Hon'ble Apex Court in C.A.No.803 of 2012 and the same was also pending. He further added that the convict is a senior citizen, aged about 65 years and he is a diabetic patient. Originally, he was taken treatment in the Prison hospital and due to his health condition, he was shifted to Government Rajaji Hospital, Madurai. Thereafter, at the intervention of this Court in W.P(MD). No.721 of 2021, he was admitted in the Meenakshi Mission Hospital, Madurai and took treatment for a period of four weeks and during the time his left hand middle finger was amputated.

3. The learned counsel for the petitioner further would state that the convict prisoner has to be re-admitted in the same hospital for further treatment and hence, a suitable direction can be given to the respondents to admit the petitioner's father, Ramachandran in the same hospital.

4. Mr.R.Anandaraj, learned Additional Public Prosecutor appearing for the respondents, would state that the convict has been in prison since 08.12.2014 and he has been given proper treatment in the jail hospital as well as in the Government Rajaji Hospital, Madurai. The condition of the convict is stable and he has filed a report submitted by the Assistant Surgeon, Prison Medical Hospital, Madurai.

5. In the typed set of papers, earlier treatment given to the convict prisoner and his photos have been enclosed. Considering the health condition of the convict, we are of the opinion that the petitioner's father, namely, Ramachandran has to be permitted to take treatment in the private hospital, namely, Meenakshi Mission Hospital, Madurai.

6. The learned counsel for the petitioner has stated that the petitioner is ready to bear entire expenses and they want to shift the patient to the Meenakshi Mission Hospital at Madurai.

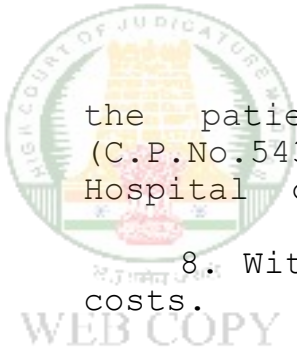
7. In the light of the above facts, it would be appropriate to issue the following directions:-

(I) the respondents 1 & 2 are hereby directed to shift the patient, namely, Ramachandran, S/o.Muthuramalingam, Life Convict (C.P.No.5439/2014) to Meenakshi Missions Hospital, Madurai forthwith;

(ii) the petitioner shall bear the entire medical expenses;

(iii) the petitioner shall bring an Ambulance from Meenakshi Mission Hospital to take the patient along with escort, and

<https://hcservices.ecourts.gov.in/hcservices/> providing treatment at Meenakshi Mission Hospital,



the patient, Ramachandran, S/o.Muthuramalingam, Life Confict (C.P.No.5439/2014) either be shifted to the Government Rajaji Hospital or to the Jail depending upon his health condition.

8. With the above directions, this Writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Deputy Inspector General (Prisons),
Madurai Circle,
Madurai-625 016.
- 2.The Superintendent,
Central Prison,
Madurai-625 018.
- 3.The Dean,
Government Rajaji Hospital,
Madurai.
- 4.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.VEERANASAMY, Advocate (SR-8110[F] dated 02/03/2021)

W.P (MD) No. 3690 of 2021

01.03.2021

MA (CO)

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