



WEB COPY

W.P.(MD)No.13851 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.13851 of 2020

(Through Video Conferencing)

K.K.Ramesh

: Petitioner

Vs.

1.Union of India,

Rep. by Home Secretary

Ministry of Home Affairs,

North Block, New Delhi 110 001.

2.Union of India

Rep. by Secretary

Ministry of Health and Family Welfare,

New Delhi

3.The State of Tamil Nadu

Rep. by Chief Secretary

Secretariat, Chennai.

4.The State of Tamil Nadu

Rep. by Home Secretary

Secretariat, Chennai.

5.The State of Tamil Nadu

Rep. by Principal Secretary

Health and Family Welfare,

Secretariat, Chennai.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the 1st respondent to instruct the respondents to

a. to impose heavy fine on the violators of social distance.

b. to increase the research centres on the COVID-19 disease.

c. to continue the lock down and to take action strictly on 144

Cr.P.C.

d. by considering the petitioner's representation dated 02.06.2020.

For Petitioner : Mr.K.K.Ramesh

Party in person

For Respondents : Mr.S.Jeyasingh for R1&R2

Mr.K.P.Krishnadoss for R3 to R5

Special Government Pleader



ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner raises two issues with respect to the containment of the Pandemic. It is submitted by him that the efforts made are not sufficient and therefore, penal action will have to be taken.

2.In pursuant to the earlier order passed by this Court in this writ petition, a status report has been filed, wherein, it has been stated that the guidelines issued by the Ministry of Home Affairs are directed to be followed.

3.Though there are guidelines in existence for surveilling, containment caution, on ground nothing is in place. The guidelines also contain national directives for COVID-19 management. The Disaster Management Act 2005 also prescribes penalties for the offence of violation of lock down measures. Section 188 of the Indian Penal Code also deals with appropriate punishment.

4.Insofar as the on going meetings organized by the various political parties during this election time, the Principal Bench has already passed an order. We can only hope and trust the directions issued therein would be complied with. We also expect the respondents to make sure that the guidelines are strictly complied with and if not they should take further action for imposing penalties and punishment.

5.The writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Secretary
Union of India
Ministry of Health and Family Welfare,
New Delhi

3.The Chief Secretary
Secretariat, Chennai.

4.The Home Secretary
Secretariat, Chennai.

5.The Principal Secretary
Health and Family Welfare,
Secretariat, Chennai.

+1 CC to M/s.S.JEYASINGH, Advocate (SR-13045[F] dated 23/03/2021)

+1 CC to M/s.K.K.RAMESH, Advocate (SR-13162[F] dated 24/03/2021)

+1 CC to M/s.SPL GP (SR-13290[F] dated 24/03/2021)

W.P. (MD) No.13851 of 2020
Dated: 23.03.2021

DKS (CO)
KB(17.04.2021) 3P 9C