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W.P.No.29307 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.29307 of 2022

Arunpandi

.... Petitioner

-Vs-

1.The Dean
Madras Medical College and
Rajiv Gandhi Government General Hospital
Chennai 600 003.

2.The Dean
Omandurar Government General Hospital
No.169, Wallajah Road, Police Quarters
Triplicane, Chennai 600 002.

3.The Superintendent of Prison
Central Prison, Puzhal
Chennai.

4.The Inspector of Police
M-4, Redhills Police Station
Chennai 600 052.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to provide appropriate medical treatment to the petitioner based on the order in Crl.O.P.No.22987 of 2022 dated 22.09.2022.



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For Petitioner : Mr.V.Karnan
For Respondents : Mr.U.M.Ravichandran
Special Government Pleader – for RR 1 & 2
Ms.P.Rajarajeswari
Government Advocate – for RR 3 and 4

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 3rd respondent to provide appropriate medical treatment to the petitioner based on the order in Crl.O.P.No.22987 of 2022 dated 22.09.2022.

2. The petitioner being a prisoner, has been in Puzhual Central Jail by way of judicial custody and due to piles complaint, has to be given treatment and this was indicated by a learned Judge of this Court while his bail application was rejected in Crl.O.P.No.22987 of 2022 dated 22.09.2022. The order reads as follows:

" Considering the fact that the quantity of contraband seized was 451 Kgs which is of commercial quantity, this Court is not inclined to grant bail to the petitioner and further considering the request made by the learned counsel for the petitioner, this Court is inclined to issue direction to the prison authorities to give proper treatment to the petitioner and further if they are not able to give proper treatment in the prison hospital, the petitioner may be



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admitted in Rajiv Gandhi Government General Hospital or Tamil Nadu Government Multi Super Speciality Hospital for better treatment."

3. Subsequent to the said order, after examining the petitioner, the Jail Doctor has stated that if the patient is having persistent symptoms he can be brought for review and can be planned for admission and treatment. Accordingly, he has been referred to Rajiv Gandhi Government General Hospital at Chennai, where they seems to have given some medical advice and as per the medical advice, the medical course cannot be undergone by the petitioner at the Jail due to lack of facilities. Therefore, once again the petitioner has to be referred to Rajiv Gandhi Government General Hospital, Chennai for further treatment and for the said purpose, the petitioner has moved the present writ petition.

4. Heard Mr.V.Karnan, learned counsel for the petitioner, Mr.U.M.Ravichandran learned Special Government Pleader for respondents 1 and 2 and Ms.P.Rajarajeswari learned Government Advocate for respondents 3 and 4.



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4. In view of the aforesaid medical history, this Court feels that the petitioner can be referred to the first respondent Rajiv Gandhi Government General Hospital, Chennai 600 003 for diagnosis and thereafter if the doctors feel that some treatment has to be given as in-patient, that can be decided and according to their advice, the respondents 3 and 4 shall act upon. The needful as indicated above shall be undertaken immediately within a period of one week from today.

5. With the above directions, this writ petition is disposed of. No costs.

07.11.2022

Index : Yes/No

Internet : Yes/No

KST

Note : Issue order copy today (07.11.2022)



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R. SURESH KUMAR, J.

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