



W.P.No.35083 of 2022

WEB COPIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P.No. 35083 of 2022

A.Bhavani

..Petitioner

Vs.

1.The Secretary to the Government
Government of Tamil Nadu,
Home Department,
Fort St. George,
Chennai – 600 009.

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

3.The Assistant Director,
Directorate of Enforcement, GOI
Ministry of Finance, Dept. of Revenue
2nd and 3rd floor, C Block Murugesu
Naicker Complex, 84 Greems Road, Thousand Lights,
Chennai – 6.

...Respondents



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PRAYER: This Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to immediately shift the petitioner's son namely A.Arun S/o. Anbu aged about 34 years now confined in Central Prison, Puzhal, Chennai as remand prisoner to Vijaya Medical & Educational Trust, Apollo Hospital or any other Super Specialty Hospital and to provide timely medical treatment considering the gravity of spinal cord complications suffered by the petitioner's son.

For Petitioner : Mr. R.C.Paul Kanagaraj

For Respondent 3 : Mr. P.Sidharthan
SPP.

ORDER

This petition is filed for directing the respondents to immediately shift the petitioner's son namely A.Arun S/o. Anbu aged about 34 years now confined in Central Prison, Puzhal, Chennai as remand prisoner to Vijaya Medical & Educational Trust, Apollo Hospital or any other Super Specialty Hospital and to provide timely medical treatment considering the gravity of spinal cord complications suffered by the petitioner's son.



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WEB COP 2. The learned counsel for the petitioner would submit that the petitioner's son was treated at Vijaya Medical & Educational Trust from 26.08.2021 to 03.09.2021 for the following diagnosis:

- (i) *C5 – C6 Disc Prolapse;*
- (ii) *C5 – C6 Anterior Cervical Discectomy; and*
- (iii) *Bony Fusion Done on 27.08.2021.*

3. In support of the treatment, the petitioner has filed photographs of the petitioner's son taking treatment at Vijaya Medical & Educational Trust. The petitioner's son was again treated in the same Hospital on 18.12.2021 and 20.12.2021 for the complaints of Musculo Skeletral Pain.

4. It is the case of the petitioner that her son was illegally arrested and remanded at the Central Prison, Puzhal, Chennai in connection with the case registered against him by the 3rd respondent.



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WEB COPY 5. The learned counsel for the petitioner submitted that the petitioner's son now has complaints of spinal cord and other related issues and he should be treated at Vijaya Medical & Educational Trust or any other Super Specialty Hospital.

6. This Court by order dated 28.12.2022 directed the Superintendent, Central Prison – II, to shift the petitioner's son to the Omandurar Tamil Nadu Government Multi Super Specialty Hospital, Anna Salai, Chennai for an observation and file a report on his medical condition.

7. Accordingly, a report dated 31.12.2022 has been received from the Director, Tamil Nadu Government Multi Super Specialty Hospital, Omandurar Government Estate, Chennai. The final opinion of the Director, Tamil Nadu Government Multi Super Specialty Hospital, Omandurar Government Estate, Chennai is as follows:

“In conclusion the history, neurological



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examination and investigations with old medical records revealed that patients suffer from high blood pressure which requires regular medication, daily walking, proper sleep and diet.

Neurologically he is stable. He has lot of worriness and somatic problems which require psychiatrist opinion and advice. Patient also requires ortho surgeon's opinion."

8. As per the report, it is seen that the petitioner's son suffers from high blood pressure which requires regular medication, daily walking, proper sleep and diet. The report further states that he is neurologically stable and has lot of worriness and somatic problems which require psychiatrist opinion and advise. He also requires ortho surgeon's opinion.

9. In view of the above observation, this Court directs the 1st and 2nd respondents to obtain psychiatrist and ortho surgeon's opinion and



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advise and give necessary and proper treatment to the petitioner's son,

A.Arun at the Omandurar Tamil Nadu Government Multi Super
Specialty Hospital or any other Government Hospital immediately.

10. Accordingly, the Writ Petition is disposed of. No costs.

23.03.2023

Index : Yes / No
Internet : Yes / No
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To

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G.CHANDRASEKHARAN,J.

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