



WEB COPY



W.P.Nos.13289 of 2021 & 22859 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.Nos.13289 of 2021 & 22859 of 2024

&

W.M.P.No.14111 of 2021

Cheer (Regn.No.225/2011)

A Non-Governmental Organisation

Rep by its President R.Aswin Kumar

21/C, Taylors Road

Kilpauk, Chennai-600 010.

.. Petitioner

Vs.

1. The Principal Secretary to Government
Department of Health and Family Welfare
Secretariat, Fort St.George
Chennai-600 009.
2. The Directorate of Public Health and Preventive Medicine
Rep by its Director
64/75, Main Road
Chokkalingam Nagar
Teynampet, Chennai-600 086.
3. The Principal Secretary to Government
Department of Welfare of Differently Abled Persons
Secretariat, Fort St. George
Chennai-600 009.



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4. The Commissionerate for Welfare of the Differently Abled
Rep. by its Commissioner
No.5 Kamarajar Salai
Lady Wellington College Campus
Chennai-600 005.

5. The Chief Minister's Special Cell
Secretariat, Fort St.George
Chennai-600 009.

6. The Greater Chennai Corporation
Rep. by its Commissioner
Ripon Buildings
Chennai-600 003.

7. The Deputy Commissioner (Health)
Greater Chennai Corporation
Rippon Buildings
Chennai-600 003.

8. The Director General of Police
Government of Tamil Nadu
Radhakrishnan Salai
Mylapore, Chennai-600 004.

.. Respondents

W.P.No.22859 of 2024

K.V.Rajendran

.. Petitioner

Vs.

1. The Secretary to Government
Home Department
Fort St. George, Secretariat
Chennai 09.

2. The Secretary to Government
Health and Family Welfare Department
Fort St. George, Secretariat
Chennai 09.



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3. The Secretary to Government
Welfare of Differently Abled Persons Department
Fort St. George, Secretariat
Chennai 09.
 4. The Director
Government Mental Welfare Home
Kilpauk Medical College and Hospital
Kilpauk, Chennai 600 010.
 5. The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai 600 004.
 6. The District Collector
Nagapattinam
Nagapattinam District.
 7. The Joint Director
Government General Head Hospital
Orathur, Nagapattinam
Nagapattinam District.
 8. The Superintendent of Police
Nagapattinam
Nagapattinam District.
- .. Respondents

Prayer : Petitions filed under Article 226 of the Constitution of India seeking respectively

(i) a writ of Mandamus directing the Respondents to effectively implement the State Mental Health Policy across the entire state by identifying the homeless persons with mental illness, rescuing them and rehabilitating them in accordance with law and consequently take effective measures to provide all the necessary healthcare facilities including COVID-19 vaccination to all the rescued homeless persons with mental illness within the state of Tamil Nadu within a time frame fixed by this Hon'ble court; and



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(ii) a writ of Mandamus directing the respondents to enforce the order of the Hon'ble Division Bench of the Hon'ble High Court in W.P. No.7043 of 2009 dated 09.07.2009.

For Petitioner : W.P.No.13289 of 2021

Mr.N.S.Amogh Simha
For Mr.A.K.Athiban Vijay

W.P.No.22859 of 2024

Mr.V.Kasinatha Bharathi

For Respondents : W.P.No.13289 of 2021

Mr.A.Edwin Prabakar
State Government Pleader
for R1 to R5

Mr.A.Arun Babu
Standing Counsel for R6 & R7

Mr.R.Muniyapparaj
Additional Public Prosecutor for R8

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Mr.A.Edwin Prabakar
State Government Pleader
for R1 to R4, R6 & R7

Mr.R.Muniyapparaj
Additional Public Prosecutor
for R5 & R8



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ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

These petitions were filed at the time of Covid outbreak when persons suffering from mental illness were alleged to be ignored and were not being taken proper care, in which, directions were also issued for framing appropriate policy.

2. When these petitions come up for consideration, learned State counsel submits that respondents have already prepared a policy to deal with such cases. More so, we find that the Covid situation no longer prevails. Therefore, at this stage, no further orders are required to be passed. Giving liberty to petitioners to bring to the notice of the Court any shortcomings insofar as identification and treatment of persons suffering from illness are concerned, these petitions are, at this stage, disposed of.

3. If petitioners come across any such case, they may also



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report the matter to the concerned authority for appropriate measures to be taken. There shall be no order as to costs.

Consequently, the interim application stands closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
11.09.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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Commissionerate for Welfare of the Differently Abled
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THE HON'BLE CHIEF JUSTICE
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