



WEB COPY



W.P.(MD)No.30909 of 2024

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.30909 of 2024
and W.M.P(MD).No.25986 of 2024

Poovanarani

... Petitioner

Vs.

1.The Secretary to Government,
Home Department (Prison)
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai -9.

2.The Additional Director General of Police (Prisons)/
The Inspector General of Police,
Office of ADGP (Prisons)/I.G of Prisons,
ThalamuthuNatarajar Maaligai,
Egmore, Chennai 08.

3.The Superintendent of Prison,
Central Prison, Madurai.

4.The Inspector of Police,
PEW Police Station,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India, seeking for a Writ of Mandamus, directing the first to third respondents to provide necessary medical care and medical treatment to



W.P.(MD)No.30909 of 2024

the petitioner's son, namely, Aaron to any private hospital in Madurai to his medical ailment with escort at the cost of the petitioner based on the petitioner's representation on 04.12.2024.

For Petitioner : Mr.V.Austin
For R1 : Mr.N.Muthumanikkam
Government Advocate (Civil)
For R2 to R4 : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

The petitioner is the mother of one Aaron, who is confined in Prison, had filed this petition seeking for medical aid to her son in a private hospital. She earlier sent a representation on 04.12.2024, but no action has been taken. Hence, the above petition.

2. The contention of the petitioner is that her son is in Crime No. 584 of 2024 for the offence under Sections 8(c) r/w 20(b)(ii)(C), 25 and 29(1) of NDPS Act facing trial before the Principal Special Court for Trial of Narcotic Drugs and Psychotropic Substance Act Cases, Madurai and he is presently confined in Central Prison, Madurai. He is aged about 32 years and complaining of breathlessness, Palpitation, Sleepless and Kidney issues and hence, he needs superior treatment in a private



W.P.(MD)No.30909 of 2024

hospital. The petitioner had visited her son in Prison on various dates from September to December-2024. Whenever she visits her son, he complained about various ailments. Further, her son had informed that jail authorities are providing normal medications giving painkiller tablets. He is even struggling to walk properly due to swelling in his leg and his kidney issues. He is in prison for more than 1 year and three months and apart from the above criminal case, he had got no other criminal case. Hence, appropriate medical treatment may be provided to her son in a private hospital.

3. The learned Additional Public Prosecutor submitted that in this case the petitioner's son is a remand prisoner. Apart from this case, he involved three other cases of NDPS, which are commercial quantity. He is playing drama with his mother. The petitioner's son used to complaint of headache and hip joint pain, for which, he was treated inside prison hospital. In this regard, medical certificate has also been produced before this Court.

4. Considering the submission and perusal of the materials placed, this Court finds that ailments, which has been projected by the



W.P.(MD)No.30909 of 2024

petitioner's mother, is without any medical record, on the contrary, a Senior Civil Surgeon attached to the Central Prison has given a report, which confirms that the petitioner's son is not suffering from any serious ailments and he is regularly given treatment and he is also referred to Rajaji Hospital-Ortho Paedic review for further evaluation. In view of the same, nothing survives for further adjudication in this case. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

NCC : Yes / No

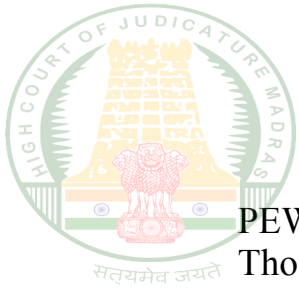
10.01.2025

Index : Yes / No

Rmk

To

- 1.The Secretary to Government,
Home Department (Prison)
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai -9.
- 2.The Additional Director General of Police (Prisons)/
The Inspector General of Police,
Office of ADGP (Prisons)/I.G of Prisons,
ThalamuthuNatarajar Maaligai,
Egmore, Chennai 08.
- 3.The Superintendent of Prison,
Central Prison, Madurai.
- 4.The Inspector of Police,



W.P.(MD)No.30909 of 2024

PEW Police Station,
Thoothukudi District.

WEB COPY

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P.(MD)No.30909 of 2024

M.NIRMAL KUMAR, J.

Rmk

Order made in
W.P.(MD)No.30909 of 2024

Dated: 10.01.2025