



W.P(MD) No.31580 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 29.01.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.31580 of 2024

Mohammed Tarik

... Petitioner

Vs

1.The Principal Secretary to Government,
Home (Prison) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

2.The Director General of Police/
Director of Prisons and Correctional Services,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai.

3.The Deputy Inspector General of Prisons,
Madurai Range,
Madurai Central Prison Campus,
New Jail Road,
Madurai-625 016.

4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to provide proper food to the petitioner's brother Asik Mohammed @ A1 Asik son of Sowkath Ali now confining at Palayamkottai Central Prison as prescribed under the Government Order in G.O.(Ms)No.261, dated 02.06.2023 issued by the first respondent and to provide proper medical treatment to the petitioner's brother Asik Mohammed @ A1 Asik son of Sowkath Ali now confining at Palayamkottai Central Prison by ensuring the availability of sufficient medical officers in Palayamkottai Central Prison on the basis of the petitioner's representation dated 19.12.2024 in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.Henri Tiphagne

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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2. The petitioner's brother Asik Mohammed @ Asik is confined in Palayamkottai Central Prison as a convict. His allegation is that proper dietary and medical facilities are not made available. When the matter was listed on 27.12.2024, a direction was given to the Chairman, Tamil Nadu Legal Services Authority, Tirunelveli to conduct a surprise inspection in the Central Prison at Palayamkottai, without intimating the jail authorities for three days ie., any one of the days at the time of breakfast / Lunch / Dinner and taste the food and file a report. Pursuant to the aforesaid direction, the Principal District Judge / Chairman, Tamil Nadu Legal Services Authority, Tirunelveli conducted inspection on 06.01.2025, 21.01.2025 & 24.01.2025. An exhaustive report dated 28.01.2025 has also been submitted to us. The conclusion is as follows :

“Upon overall review of the food provided to the prisoners, the quality and taste of the food is good and none of the prisoners have made any complaints about the quality of the food. In fact, a separate register is being maintained in the Central Prison about the opinion of the prisoners on the quality of the food provided to them and on verification of the said register, it is found that, opinion of the prisoners have been randomly obtained on each and every day and on perusal of the



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comments entered in the said register also all inmates have made satisfactory remarks about the taste and quality of the food provided to them.”

3. The learned counsel for the petitioner states that even though there are duty doctors assigned to work in the Central Prison, Palayamkottai, their attendance appears to be little suspect. He drew our attention to the order dated 28.02.2024 in W.P.(MD)No.21047 of 2018 filed before the Hon'ble First Bench. The prayer in the said writ petition was to direct the Government to implement the biometric attendance system for the Medical Officers and Psychiatrists in all the Central Prison across the State. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that biometric has been introduced throughout the State in all the Government Departments and Prisons. Recording the said submission, the writ petition was disposed of.

4. We posed a specific question to the learned Additional Public Prosecutor as to whether the three duty doctors working in Palayamkottai Central Prison are entering their attendance in the biometric system. On instructions from the instructing staff, he answered in the negative.



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5. We direct the Deputy Inspector General of Prisons, Madurai Range to enforce the In-Out Biometric attendance system for the duty Doctors / Psychiatrists / Prison Staff in the Central Prison, Palayamkottai and all the the other prisons falling within his jurisdiction with immediate effect. The Writ Petition is disposed of accordingly. No costs.

(G.R.S., J.) (R.P., J.)
29.01.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

- 1.The Principal Secretary to Government,
Home (Prison) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.
- 2.The Director General of Police/
Director of Prisons and Correctional Services,
C.M.D.A. Towers II,
No.1, Gandhi Irvin Road,
Egmore, Chennai.
- 3.The Deputy Inspector General of Prisons,
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4.The Superintendent of Prison,
Palayamkottai Central Prison,
Tirunelveli District.

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

Copy To:

The Chairman, Tamil Nadu Legal Services Authority, Tirunelveli.



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