

WP(PIL). No. 74 of 2020

Vyjayanti Vasanta Mogli v. State of Telangana

2020 SCC OnLine TS 440

In the High Court of Telangana at Hyderabad
(BEFORE RAGHVENDRA SINGH CHAUHAN, C.J. AND A. ABHISHEK REDDY, J.)

Vyjayanti Vasanta Mogli ... Petitioner;

Versus

State of Telangana, Represented by its Principal Secretary and
Others ... Respondents.

WP(PIL). No. 74 of 2020[†]

Decided on April 27, 2020

ORDER

1. This writ petition has highlighted the plight of transgender population during the Covid-19 lockdown

2. Mr. B.S. Prasad, the learned Advocate General is directed to accept notice on behalf of the respondents. He is further directed to submit a report with regard to (i) number of transgenders living in the major cities of the State, (ii) the concrete steps being taken by the State Government for ensuring that the members of the transgender community have ready availability of foodgrains, consumable items, and medicines as per their need and requirements, and (iii) the number of NGOs with which the Government is coordinating in order to ensure that all the essential commodities do reach the transgender community through these NGOs.

3. The State Government is further directed to ensure that these commodities are given to the members of the transgender community free of cost and without insisting on the production of ration card/white card etc. The report shall be submitted by the learned Advocate General on or before May 08, 2020.

4. List this case on May 11, 2020.

† Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the petition and affidavit filed in support thereof the High Court may be pleased to issue a Writ, Order of direction more particularly one in the nature of Writ of Mandamus A) Direct the Respondents herein to provide free of cost rations, food and nutrition and provisions including vegetables and fruit to members of the transgender community from ration shops and also from other outlets without insisting for the production of Ration card, B) Direct the Respondents herein to provide Free of cost medicines to transgender persons including HIV medications, hormone therapy medicines, diabetes and other medications to be made available to transgender persons from primary health centres and from government and public hospitals, C) Direct the Respondents herein to allow transgender persons to apply for and provide the payment of three months social security pension to transgender persons under the Aasara scheme, D) Direct the Respondents herein to provide free LPG cylinders and waive electricity bill for 6 months to transgender persons in the lines of the similar assurance for 3 months under the PM Garib Kalyan Yojana. E) Direct the Respondents herein to extend the Aarogyashri government medical insurance to transgender persons and Direct that the Aarogyashri include the health challenges of COVID -19, F) Direct the Respondents herein to take appropriate action against those who are targeting the Transgender Persons by falsely labelling them in public as the potential carriers of HIV positive and Corona-Virus and consequently direct the Respondents herein to protect the life by providing appropriate security to the Transgender persons in all public places. G) Direct the Respondents to place moratorium on the collection of rents till the end of June free of interest and late payment penalty fees and pass orders directing that landlords the they should not evict transgender persons from existing rental premises for non-payment of rent during the present period;

Petition under Section 1 51 CPC praying that in the circumstances stated in the affidavit liled in support of the writ petition, the High Court may be pleased to it is prayed that this Hon'ble court may be pleased to direct the Respondents herein to immediately ensure the supply of all basic essential rations, food and nutrition and provisions including vegetables, fruits and medicines for free of cost to all Transgender persons and consequently direct the Respondents herein to provide proper health care for free of cost to all Transgender persons diagnosed with HIV positive and those Transgender persons undergoing sex re-assignment, pending disposal of WP(PIL) 74 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri R Sameer Ahmed Advocate for the Petitioner and of Sri B.S. Prasad, Advocate General, for the respondents, the Court made the following.

Disclaimer: While every effort is made to avoid any mistake or omission, this casenote/ headnote/ judgment/ act/ rule/ regulation/ circular/ notification is being circulated on the condition and understanding that the publisher would not be liable in any manner by reason of any mistake or omission or for any action taken or omitted to be taken or advice rendered or accepted on the basis of this casenote/ headnote/ judgment/ act/ rule/ regulation/ circular/ notification. All disputes will be subject exclusively to jurisdiction of courts, tribunals and forums at Lucknow only. The authenticity of this text must be verified from the original source.