

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8981 of 2020

N.Tamilarasu

.. Petitioner

-vs-

- 1.The Home Secretary,
Ministry of Home Affairs,
North Block,
New Delhi – 110 001.
- 2.The Chief Secretary,
Government of Tamil Nadu,
St. George Fort,
Chennai – 600 009.
- 3.The Secretary,
State of Tamil Nadu,
Home, Prohibition & Excise Department,
Fort St. George,
Chennai – 600 009.
- 4.The Secretary,
Health and Family Welfare Department,
Government of Tamil Nadu,
Secretariat,
Chennai – 600 009.

- 5.The Secretary,
Department of Information and Public Relations,
Government of Tamil Nadu,
Secretariat,
Chennai – 600 009.
 - 6.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai – 600 004.
 - 7.The Director,
Directorate of Public Health and Preventive Medicine,
Health and Family Welfare Department,
Teynampet,
Chennai – 600 006.
 - 8.The Secretary to Government,
Municipal Administration Department,
Government of Tamil Nadu,
Fort St. George,
Chennai – 600 009.
 - 9.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai – 600 003.
 - 10.The Commissioner of Police,
Greater Chennai Police,
Office of the Commissioner of Police,
Vepery,
Chennai – 600 007.
- .. Respondents

Petition filed under Article 226 of the Constitution of India
praying for issue of Writ of Mandamus directing the 2nd, 3rd, 9th and 10th
respondents to take appropriate and necessary action based on the

petitioner's representation dated 06.06.2020 to enforce strict lock down in the jurisdiction of Greater Chennai Police by allowing only essential services till COVID – 19 is brought under control.

For Petitioner : Mr.V.Vasanthakumar

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader
for respondent Nos.2 to 8 and
10

Mrs.Karthika Ashok
Standing Counsel
for respondent No.9

ORDER

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

Having heard learned counsel for the petitioner and learned Government Pleader, it appears that a Public Interest Litigation had been already entertained and numbered as W.P.No.8332 of 2020, which was dismissed as withdrawn on 16.06.2020 as the State Government had already announced the lock down.

2. It appears that the hard copy of the petition, which was lodged with the Registry, later on came to its notice and the very same petition has been numbered afresh as W.P.No.8981 of 2020 with the same set of papers with the same set of counsel. It appears that the Writ Section dealing with these Public Interest Litigations has not been able to co-ordinate the petitions which have been entertained through e-mail and the hard copies which have also been filed with the Registry, as a result whereof, this duplication of the process has occurred.

3. The Registrar (Judicial) shall take notice of the same and streamline the listing of cases so that no future mistakes are brought to the notice of the Court.

4. We have also perused the order dated 16.06.2020 passed in W.P.No.8332 of 2020, which has been placed before us.

The present writ petition is consigned to records in view of the said order already passed. No costs.

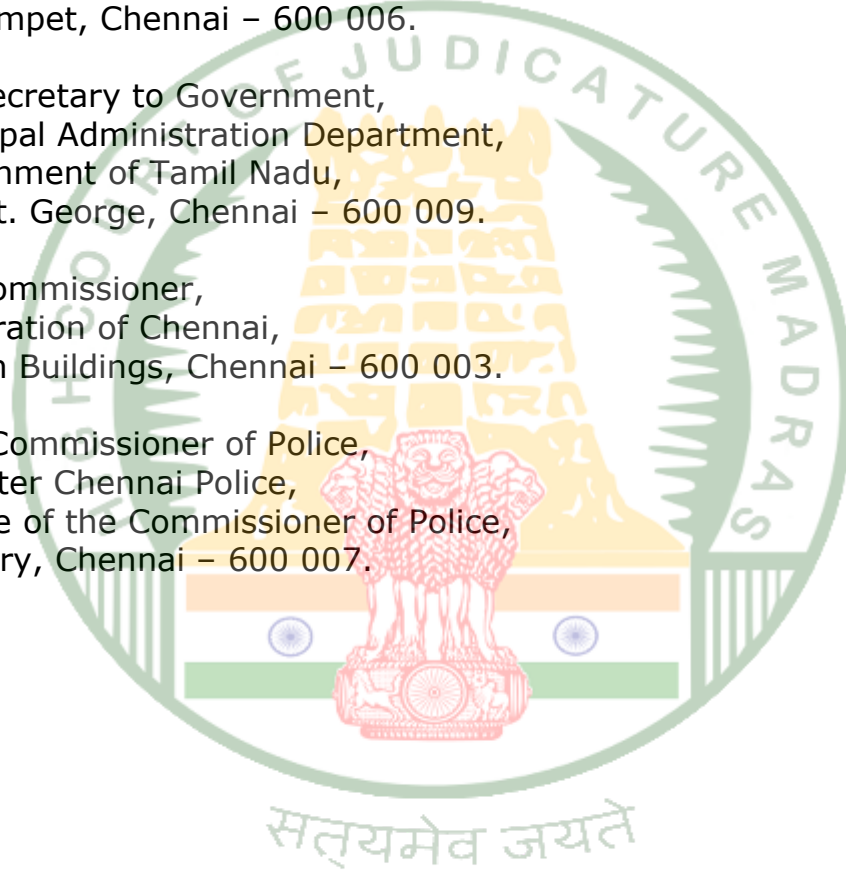
(A.P.S., CJ.) (S.K.R., J.)
08.07.2020

Index : Yes/No
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To:

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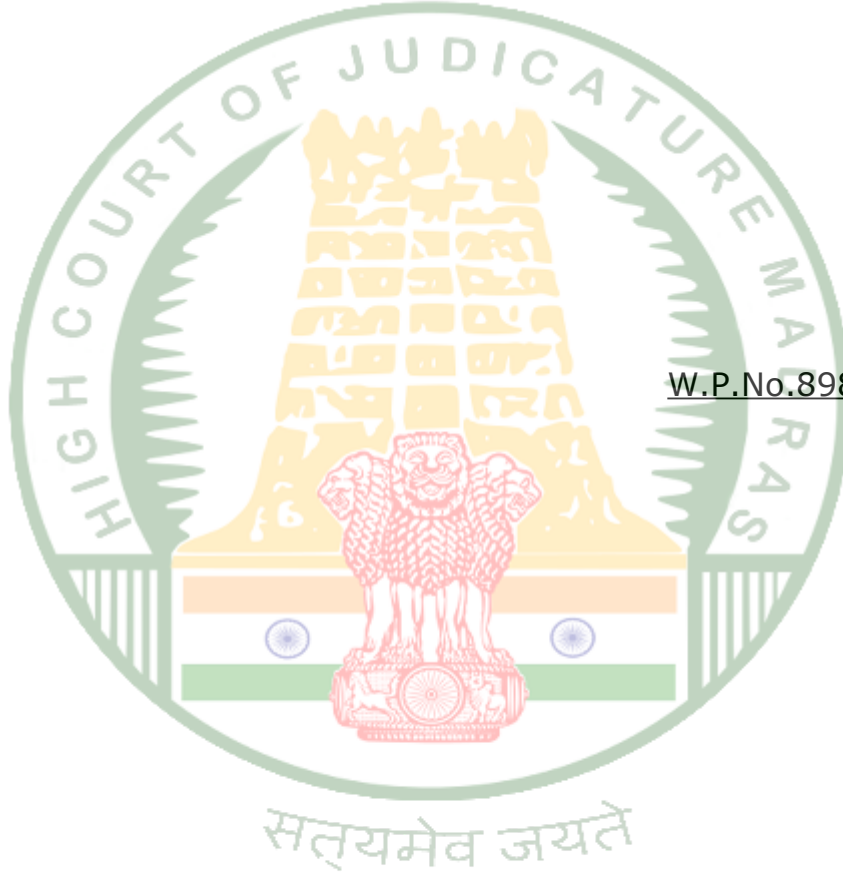


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W.P.No.8981of 2020

THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY, J.

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W.P.No.8981 of 2020

WEB COPY 08.07.2020

NOTIFICATION No.143/2020

In supersession to the Notification No.134/2020 dated 03.07.2020 and in pursuance of the Resolution of the Hon'ble Administrative Committee dated 12.07.2020 wherein options are given to the Advocates/Parties-in-Person to select mode of filing of case papers either through email or physically in the High Court premises, the following instructions are issued and to be implemented with effect from 14.07.2020:

Instructions for Email Filing:

1. Advocate/Party-in-Person who have chosen to file scanned case papers through e-mail mode, are required to comply all the requirements necessitated in Notification Nos.113/2020 and 122/2020 dated 17.04.2020 and 31.05.2020 respectively.
2. Upon receipt of the case papers through e-mail, the examiners of the Registry will scrutinize the same and if found otherwise in order, then before assigning case number, the Registry will inform the Advocate/Party-in-Person through e-mail for furnishing hard copy of case papers.
3. If case papers found defective, then the same will be intimated to Advocate/ Party-in-Person through e-mail only and after curing the defects pointed out by the Registry, the Advocate/Party-in-Person shall send clean copy of only such scanned case papers through e-mail. Thereafter, before assigning case number, the Registry will inform the Advocate/Party-in-person through e-mail to furnish hard copy of the case papers.
4. Upon intimation from the Registry for filing hard copy of case papers, Advocate/Party-in-Person are required to file the hard copy of case papers by clearly mentioning the mode of filing i.e., "E-MAIL FILING" in the docket sheet.

In addition to the above, Advocate/Party-in-person are required to file a memo containing case details that are sent to Registry through e-mail. The aforesaid case papers shall be filed in the designated Counter installed near South Gate (Gate No.7) of the Madras High Court campus with a separate Drop Boxes kept for collecting case papers pertaining to all branches i.e., Appellate Side, Writ, Criminal Side and Original Side. The said Counter shall function from 10.30 a.m. to 1.30 a.m. on all working days.

Instructions For Physical Filing:

5. Advocate/Party-in-Person who have chosen to file case papers physically, are required to file the said case papers in the drop box as provided in the High Court campus. Advocate/Party-in-Person shall clearly mention the mode of filing i.e., "PHYSICAL FILING" in the docket sheet of case papers and also mention their mobile number and e-mail id in the docket sheets.
6. After due fumigation process, the Registry will scrutinize the case papers so received and if found otherwise in order, then the Registry will proceed further.
7. If case papers found defective, then the same will be intimated to the Advocate/Party-in-Person through email or through other means of communication. After curing the defect(s) pointed out by the Registry, the clean copy of such paper(s)/document(s) alone is/are required to be submitted at the very same filing counter. In addition to the above, Advocate/Party-in-Person shall submit a memo containing an undertaking that they will take steps to rectify the corrections required to be made in the original case papers as such found in clean copy of case papers after resuming regular court functioning.

General Instructions:

8. The Case papers filed in the drop box, will be taken up for further course of action only after a day of quarantine, in order to give sufficient time for COVID – 19 virus to extinct.
9. Advocate/Party-in-person may continue to exercise option to file Bail Applications through e-filing mode by following the instructions issue vide Notification in ROC.No.30036-A/2020/e-court, dated 20.04.2020.
10. No hard copies/case papers shall be returned physically under any circumstances during this COVID-19 lockdown period or till the normal case filing is restored except with the leave of the Hon'ble Court upon request made.
11. The Advocate/Party-in-Person who are coming to file case papers shall have access upto the Counter installed near South Gate (Gate No.7) of Madras High Court Campus.
12. The attendees to the filing counter shall adhere to all necessary guidelines issued by the Government of India and the Government of Tamil Nadu on the restrictions to prevent from COVID-19 viral infection and also ensure that the bearer of the case paper shall not be the resident of hot spot area/containment zone notified by the concerned local body.
13. The attendees are requested to give fullest cooperation to the security personnel deployed near the filing counter in the High Court campus for smooth functioning of the filing facility.

//BY ORDER OF THE HON'BLE THE CHIEF JUSTICE//

High Court, Madras
Dated: 13.07.2020

M.JOTHIRAMAN
Registrar (Judicial)