

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2020

CORAM

THE HON'BLE MR.JUSTICE **M.M.SUNDRESH**
and
THE HON'BLE MRS.JUSTICE **R.HEMALATHA**

W.P.No.7533 of 2020

M.Karpagam

.. Petitioner

Versus

- 1.The Chief Secretary to Government
Government of Tamil Nadu, Secretariat,
Chennai 600 009.
- 2.The Secretary, Health Department,
Secretariat, Chennai 600 009.
- 3.The State Commissioner
Commissionerate for Persons with
Differently-abled, Lady Wellington Campus
Kamarajar Salai, Chennai 600 005.
- 4.The Director General of Police
Dr.Radhakrishnan Salai, Chennai 600 004. ... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to provide adequate food and shelter to the dying destitute and mentally disabled persons, who are living and stranded on the road sides and pavements in the State of Tamil Nadu and shift them to Government homes after conducting COVID 19 test to them.

For Petitioner : Mr.R.Prabhakaran

ORDER

(Order of the Court was made by *M.M.SUNDRESH, J.*)

We have perused the affidavit filed as well as the reply affidavit filed on behalf of the third respondent, adopted by the first respondent.

2.Learned counsel appearing for the petitioner submits that even the yesterday's (02.08.2020) news papers would suggest that in the town of Palani, mentally retarded persons are roaming around without proper food. Now, the Private Homes are not in a position to take care of the mentally retarded persons throughout the State. Therefore, appropriate direction will have to be issued in this regard.

3.Though the learned Special Government Pleader appearing for the respondents submits that adequate steps have been taken, prima facie we find some force in the submission made by the learned counsel appearing for the petitioner.

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**M.M.SUNDRESH, J.
and
R.HEMALATHA, J.**

mmi/ssm

4. In such view of the matter, we direct the third respondent to file a report after directing the concerned officials to make an inspection both on the roads and as well as the Private and Government Homes wherein the mentally retarded persons are housed and file a report on the action taken and action requires to be taken and such a report will have to be filed on or before 14.08.2020.

Post the matter on 18.08.2020.

(M.M.S., J.) (R.H., J.)
03.08.2020

mmi/ssm

Note: Registry is directed to upload the order on 04.08.2020

सत्यमेव जयते

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