

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

(made by the Hon'ble Chief Justice)

The petitioner draws the attention of the Court to the plight faced by mentally ill patients, particularly during the pandemic.

2. The petition, however, embraces a larger compass and seeks a direction on the respondent authorities to effectively implement the State mental health policy. Though the policy is spelt out in four lines, it is of wide amplitude and covers the entire gamut of the needs of mentally ill persons.

3. The State, like the rest of the country, is recovering from the deadly second surge of the pandemic. Several persons have not only lost their near and dear ones, but may also have lost their livelihoods and suffered in their businesses, particularly the small businesses and shop owners who were unable to function at all during the long stretches of the lockdown that was imposed. There is a lot of work immediately necessary for the Government to provide relief and

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rehabilitate persons who have families which have lost their bread-earners and persons whose businesses have been completely devastated or persons who have lost jobs in the private sector.

4. It is, however, necessary that just like the special drive undertaken by the State to protect persons with disabilities, a similar measure be adopted for persons who are mentally ill, who may be home bound, or may not be aware of the need to protect themselves. It is imperative that a special vaccination drive be undertaken, by whatever means that may be effective, to prioritize mentally ill persons and ensure that they are vaccinated. The policy of having mobile teams travel to persons with disabilities rather than make such disadvantaged persons come to centres, may be adopted in case of mentally ill patients. There are many persons who are abandoned by their families and roam around in the streets, who should be taken care of at the local level, and municipalities, corporations and panchayats should pay attention that such persons are provided some shelter and are vaccinated on a priority basis.

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5. The petitioner refers to a 10.5 acre campus at Tiruvallur which incurs a monthly expense in excess of Rs.1.5 lakh for maintenance, to be used as a shelter or place where mentally ill patients who are destitutes or may have been abandoned by their families to be kept together and a vaccination drive be undertaken upon maintaining the necessary hygiene requirements. The State should make every endeavour to make best use of such facility since the maintenance costs are, in any event, being incurred. Personnel may be deployed, even on a temporary basis, so that mentally ill persons who may not be cared for by any other may be housed at such facility and appropriate measures taken to vaccinate them.

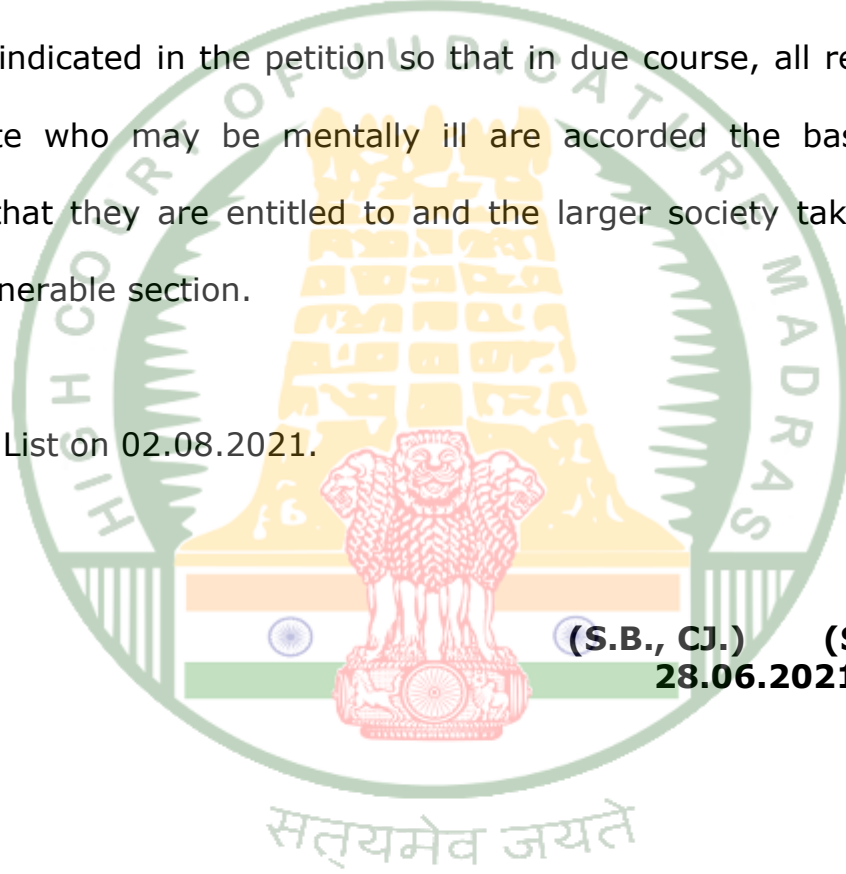
6. The State will do well to ensure that the immediate needs of, particularly the destitutes who are mentally ill, are taken care of and the other mentally ill patients who may be home bound or are restricted in their movements are attended to in the next four weeks. A report in such regard should be filed by the Department of Health when the matter appears next, five weeks hence.

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7. Mr.P.Muthukumar, learned Government Counsel, takes notice for respondents 1 to 5 and 8. Ms.Karthikaa Ashok, Senior Standing counsel, takes notice for respondents 6 and 7.

8. The State should also file its counter-affidavit to the larger aspects indicated in the petition so that in due course, all residents of the State who may be mentally ill are accorded the basic human dignity that they are entitled to and the larger society takes care of such vulnerable section.

9. List on 02.08.2021.



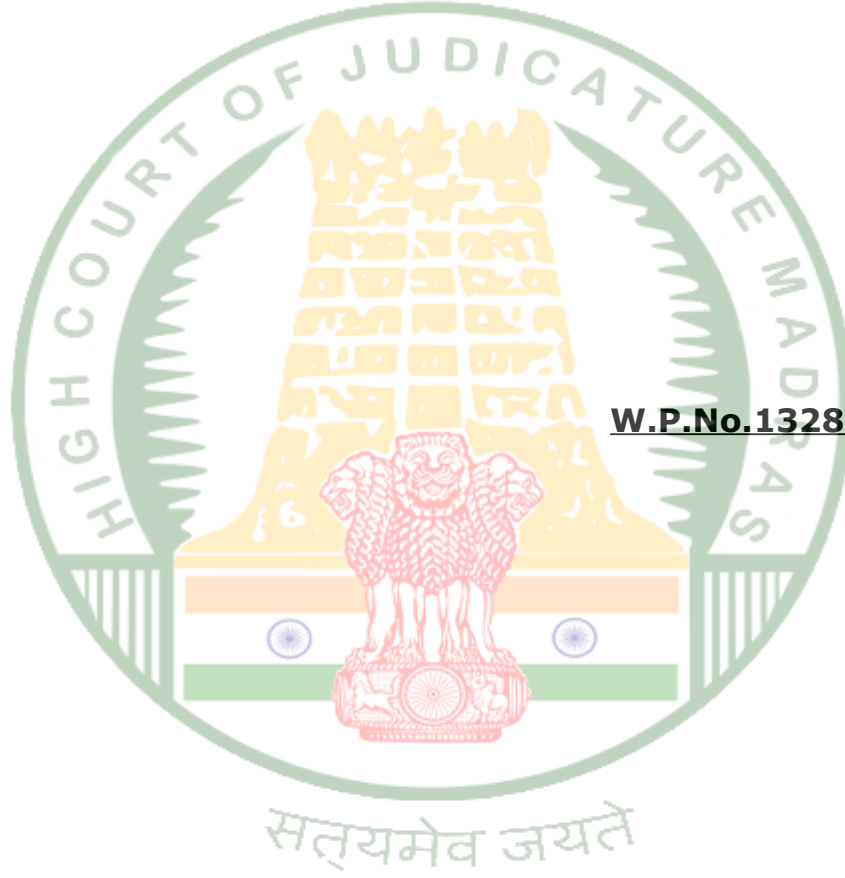
(S.B., CJ.) (S.K.R., J.)
28.06.2021

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