

ROC.No.1363/2020/RG



MOST URGENT

CIRCULAR

Sub: COVID 19 – Effective prevention of Corona Virus disease in the premises of all Subordinate Courts in the State of Tamil Nadu and Union Territory of Puducherry – Advisories issued – Regarding.

In view of announcement of pandemic of Novel Corona Virus (COVID-19) by the World Health Organisation (WHO), the Ministry of Health and Family Welfare, Government of India, taking stock of the situation issued an advisory to combat and prevent the spread of the said virus. The Central Government as well as the State Governments throughout the country, including the Government of Tamil Nadu, have taken steps in this regard. Environmental impact direct or otherwise in the functioning of the Courts came to be discussed by the Hon'ble The Chief Justice of India with the Chief Justices of the High Courts throughout the country on 16th March, 2020, sharing the information and also the efforts that are required to be made for taking appropriate steps for containing the spread of any such disease and tackling with any infected persons in the Court premises including the High Courts and Subordinate Courts throughout the country.

The Hon'ble the Chief Justice of Madras High Court convened a meeting in the High Court in the afternoon of 16th March, 2020 with all Hon'ble Judges of the Administrative Committee, learned Advocate General, Presidents and office-bearers of all the recognised Bar Associations in the High Court of Madras, the Chief Secretary to the Government of Tamil Nadu, the Health Secretary to the Government of Tamil Nadu and other Government officials, wherein it was resolved to undertake and implement effective measures to meet this emergent situation.

On the very same day (16th March, 2020) the Hon'ble The Chief Justice convened a meeting at Madurai Bench with the Hon'ble Administrative Judge and some Hon'ble Judges of the Madurai Bench as well as the District Collector, Madurai District, Police officials, Doctors and officials of the Health Department, Principal District Judge and staff of the Registry and all others concerned where effective steps already taken by the Hon'ble Administrative Judge of the Madurai Bench were acknowledged and further suggestions were made to tackle the situation.

The management of Court proceeding keeping in view the interest of the litigants was also discussed coupled with the participation and cooperation of the lawyers that was necessary to meet the situation.

The State administration and the representatives of the Bar came up with an overwhelming response to the suggestions made and affirmed their full co-operation by undertaking whatever measures are necessary to protect lives first and simultaneously to allow the minimum of compulsory functioning, which is required to sustain the judicial system to continue to discharge its duties.

After having received the suggestions and having regard to preserving the judicial functioning in the larger interests of litigants, a meeting was finally held today (17th March, 2020) at Chennai in the presence of all concerned.

After assessing the concerns and suggestions expressed by the respective stake-holders, appropriate administrative directions are required to be issued in this respect.

At the outset, the general impression gathered about why this needs to be tackled and in what manner, the following fundamentals should be kept in mind that have been extracted in the Advisory issued in the shape

of a media bulletin dated 15th March, 2020 issued by the Health and Family Welfare Department, Government of Tamil Nadu, which reads as follows:

**“c) Disinfection Procedure for Prevention
of COVID-19 in Public Places**

Corona virus spreads from person to person directly through respiratory droplets produced when an infected person coughs or sneezes. People also become infected by touching surfaces contaminated with corona viruses by droplets generated while coughing or sneezing and then touching their mouth or nose or eyes.

Respiratory Hygiene, Hand Hygiene and cleaning and disinfection of surfaces frequently touched by hands are essential strategies for the prevention and transmission of COVID-19.

Disinfection of floors and surfaces frequently touched by hands such as seats, handrails, straps in trains and buses, door-handles, lifts, handrails, chairs, tables, ticket counters, in the shopping malls, hotels, cinema theatres, marriage halls, seats in trains and buses will certainly help in interruption of transmission to a larger extent.

a. Disinfections for surfaces frequently touched by hands:

- Disinfection of seats, chairs, door handles, ticket counters and hand railings in cinema theatres should be cleaned with Lysol spray after every show.
- In buses and trains, the door handles, straps, hand rails and seats should be cleaned with Lysol periodically after every trip.

- In hotels, lodging houses and marriage halls, Lysol should be sprayed on the surfaces frequently touched by hands should be done periodically, as many times as possible.”

The general advisory issued for the public broadly is as follows:

Novel Coronavirus (2019-nCoV)-General Advisory for Public

The 2019 novel corona virus (2019-nCoV), Wuhan corona virus, is contagious virus that causes respiratory infection, can transfer from human to human.

Symptom

- Fever
- Difficulty in Breathing
- Coughing
- Tightness of Chest
- Running Nose
- Head Ache
- Feeling of being Unwell
- Pneumonia

Incubation Period : 2 to 14 days

Human Corona virus (2019-nCoV) most commonly spread from an infected person to other through:

- The air by coughing and sneezing

- Close personal contact, such as touching or shaking hand
- Touching an object or surface with the virus on it, then touching your mouth, nose or eyes before washing your hands

How to reduce risk of Corona virus infection (2019-nCoV)

- Clean hands with soap and water or alcohol based hand rub
- Cover nose and mouth when coughing & sneezing with tissue or flexed elbow
- Avoid close contact with anyone with cold or flue like symptoms
- Avoid frozen meat and use well cooked meat
- Isolation of symptomatic patients for at least 14 days (Home quarantine)

DO's and DONT's

<i>DO's</i>	<i>DONT's</i>
<ul style="list-style-type: none">• Cover your nose and mouth with disposable tissue or handkerchief while coughing or sneezing	<ul style="list-style-type: none">• Touching eyes, nose or mouth with unwashed hands
<ul style="list-style-type: none">• Frequently wash your hands with soap and water	<ul style="list-style-type: none">• Hugging, kissing and shaking hands while greeting
<ul style="list-style-type: none">• Avoid crowded places	<ul style="list-style-type: none">• Spitting in public places
<ul style="list-style-type: none">• Person suffering from influenza like illness must be confined at home	<ul style="list-style-type: none">• Taking medicines without consulting doctor
<ul style="list-style-type: none">• Stay more than one meter from persons sick with flu.	<ul style="list-style-type: none">• Disposal of used napkin or tissue paper in open

<i>DO's</i>	<i>DONT's</i>
<ul style="list-style-type: none"> • Take adequate sleep and rest 	<ul style="list-style-type: none"> • Touching surfaces usually used by public (Railway gates, etc.)
<ul style="list-style-type: none"> • Drink plenty of water/ liquids and eat nutritious food 	<ul style="list-style-type: none"> • Unnecessary testing
<ul style="list-style-type: none"> • Person suspected with Influenza like illness must consult doctor 	<ul style="list-style-type: none"> • Unnecessary use of mask
<ul style="list-style-type: none"> • Used Tissue paper has to be disposed in a closed waste bin 	

Having regard to the safety of litigants, lawyers, visitors, Court staff and Judges, the central idea for implementing the advisory given herein below is to avoid congestion and mass gathering, which is the most essential feature to be observed in order to avoid the spread of the infectious disease, which as of now does not have a readily available cure or medicine to treat the same. Therefore, it appears to be of a very serious nature.

The second issue is with regard to the medical facilities and other Help Centres and related information being made available.

The third is relating to Court functions in a manner that allows the Court work to continue at the required minimum and essential level and at the same time, postpone and adjourn the matter that can be avoided for the time being.

The fourth focus is on scheduling the time period keeping in view this impending threat, which on a rough estimate is likely to persist between two to three weeks.

The last but not the least is to spread awareness amongst all stakeholders, lawyers and litigants in particular to extend a cooperative hand by exercising restraint in organising any gatherings or the flow of lawyers and litigants in Court premises.

With this overall view, The Hon'ble the Chief Justice has issued **the following advisories to the Principal Judge, City Civil Court, Chennai; Principal District Judges/District Judges of all the Districts in the State of Tamil Nadu and the Chief Judge, Puducherry for being implemented in the subordinate judiciary:**

1. The State Government has issued a directive to all District Collectors of the respective districts to coordinate with the District Judges to extend necessary support for effective prevention of the Corona Virus disease in the court premises. The letter dated 16th March, 2020 and the communication to the Registrar General of the Madras High Court dated 17th March, 2020 have been perused. The extract of the

directives issued in the letter dated 16th March, 2020 are reproduced hereunder:

- a) To enable screening of visitors to District Courts with thermal scanners to identify and isolate suspected cases;
- b) Help in disinfection of the premises adopting appropriate protocol;
- c) Provision of hand sanitizers/hand wash liquid soap/solution to prevent infection;
- d) Training to Judicial Staff on the infection prevention practices particularly in maintaining cleanliness of their premises and personal hygiene;
- e) To provide any other support required by the judiciary to prevent the spread of COVID-19 in the court premises.”

2. The Principal District Judges and Principal Judges are directed to advise closure of food-stalls, eateries, etc. as well as vending of like nature in the court premises for a period of three weeks.

3. The presence of para-medical/medical staff be arranged through the District Collector and the Chief Medical Officer of the District with facilities of Temperature Gun, Thermal Imaging Devices, etc. and sufficient quantity of sanitizing material to facilitate the officers and staff to enable them to take all precautions as contained in the advisory.

4. The Presiding Officers of the subordinate courts may not insist on the physical presence of the parties unless considered unavoidable or

otherwise being compulsory requirement. Appropriate steps be taken to regulate the entry of litigants and the general public in the court premises in order to avoid congestion. For this the Principal District / Principal Judge may convene a meeting with the office-bearers of the Bar Associations and persuade the lawyers requesting them and their clients not to visit the court premises unless they have a matter to be taken up.

5. Counsels, Parties or Witnesses on seeking adjournment may be accommodated subject to any exceptional circumstances.

6. The functioning of the Mediation Centre may remain suspended for a period of three weeks.

7. The Principal District Judges / Principal Judges, Judges of the Family Courts, Chief Judicial Magistrates and the Judicial Magistrates in particular, who have heavy load of work, may be liberal in granting adjournments so as to dissuade litigants from crowding the court-halls and thereby avoiding congestion in the court premises at least for a period of three weeks. This may be necessary in the courts of Family Judge in particular where women and children are mostly required to appear in person which can be adjourned and postponed for a period of three weeks.

8. Judicial Officers may make maximum use of the video-conference facility for either hearing arguments, recording of evidence and as a substitute for the physical production of under-trial prisoners from jails, etc. An attempt can be made by utilising the *Vidyo* software with a laptop being available to a judge, counsel for the plaintiff/complainant, counsel for the defendant/respondent as well as the Government counsel/public prosecutor by making them sit separately in three rooms or in a big hall at a considerable distance from each other for hearing out the matter. For this the laptop equipped with the software may be made available as this would reduce the congestion or direct contact. The use of such method will facilitate all urgent hearing matters and will avoid unnecessary contacts.

9. The Principal District Judges / Principal Judges will also take care of juvenile justice homes, observation homes, shelter homes, lock-ups and jails within their jurisdiction have adequate facilities of screening and sanitisation for which they may issue necessary instructions at the local level.

HIGH COURT, MADRAS
DATED : 17-03-2020

Sd/- C.KUMARAPPAN
REGISTRAR GENERAL