



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President
Senior Advocate

21/04/2020

Chennai

Pain in the Pandemic

“Health is a fundamental human right, and attacks on health care are a blatant violation of that right.”

As India battles the coronavirus outbreak, sporadic attacks on doctors, social workers and police personnel have come to the fore raising concerns over their safety and prompting warnings by authorities.

Health care is under attack. The sanctity of health care, the right to health, and International Humanitarian Law are threatened. Such attacks deprive people of urgently needed care, endanger health care providers, and undermine health systems.

“In Chennai denied the burial of a neurosurgeon Dr Simon Hercules who had died of Covid-19. The crowd pelted stones, hit people with sticks in fear that the burial will spread the virus.”

S. PRABAKARAN
SENIOR ADVOCATE
Page 1 of 6



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President

While the nation has repeatedly saluted frontline healthcare workers for their service during the coronavirus pandemic, one doctor in Tamil Nadu was robbed of dignity even in death.

The 55-year-old neurosurgeon Dr Simon Hercules succumbed to Covid-19 at a private hospital in Chennai on Sunday. Dr Hercules was on ventilator support after he developed health complications post testing positive. He suffered a cardiac arrest and succumbed to it at 6:15 pm on Sunday at a private hospital.

According to medical authorities, he had likely contracted the infection while treating patients.

The body was passed onto his family and doctors who headed to the Kilpauk cemetery to bury him there. Locals in the area had already received a message and were waiting there in protest, determined to not let the burial proceed.

The ambulance carrying the body that was attacked by the mob.

The ambulance carrying Dr Hercules then made its way to a cemetery in Anna Nagar. There, the people accompanying the body including his family, friends and

S. PRABAKARAN
SENIOR ADVOCATE

Page 2 of 6



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President


the ambulance driver were met with protests by the locals. The mob there hit them with stones and logs. The ambulance driver and sanitation worker were injured and the vehicle's windshield was completely broken.

The family had to run to escape the mob but another friend of Dr Hercules managed to recover the body and drive off to a different location. Dr Hercules was later buried with police security, with a friend and two people for help, without his family to bid him goodbye.

"Is this what doctors have to face? Is this how the public repays them?. they were unable to save him and they couldn't bury him. Will his soul rest in peace?"

It was seen that at one point, the mob grew so violent that they had to leave the mortal remains there and flee for their lives, **though there was** Salutations to Dr Simon Hercules for his exemplary service in the fight against Covid-19.

Various doctors associations have condemned the unfortunate incident and have requested the government to ensure such incidents do not happen again. They have requested the government to ensure people are made aware that the infection does not spread if the body is buried as due care and protocol are followed in burial and cremation.


S. PRABAKARAN
SENIOR ADVOCATE

Page 3 of 6



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President

On April 13, a similar incident took place in Ambattur where a doctor who died in Nellore was denied cremation at the local crematorium as locals gathered in protest.

Due to the increasing reports of violence against doctors, the main source of stress for doctors was fear of violence, followed by fear of being sued. The doctors are not able to see their patients without any fear of violence.

When healthcare workers were assaulted, they frequently resorted to peaceful strikes, which sometimes included termination of ward and emergency services. During such protests, it was not uncommon for the public to attack the protesters.

It is imperative that the Government of Tamilnadu ensures that health workers are allowed to work at all times without risk, regardless of location, and that the patients and health facilities are protected.

Tragedies like this should be avoided by taking all necessary precautionary measures, and the perpetrators must be brought to justice. This attack reflects a worrying trend:

Page 4 of 6

S. PRABAKARAN
SENIOR ADVOCATE



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President

The Tamilnadu Advocates Association strongly condemns the recent brutal attack on a medical practitioner who died of the pandemic disease acquired disease while treating his patients. The Tamilnadu Advocates Association further extends its fullest support to the Doctors, police personnel and other sanitary workers and all the government authorities who are fighting against the pandemic COVID-19 in this situation like emergency in the country and across the globe and further support with all necessary legal support and service and initiate appropriate proceedings against those illegal, unlawful, unruly mob and see to that laws are enforced against them for their inhumane behavior.

Although violence against doctors and other health workers is not uncommon, the incidence seems to be increasing. Many remedies have been advised to tackle this situation. As there are certain responsibilities of doctors and other healthcare workers, similarly, responsibilities also have to be borne by patients and their relatives, political parties, hospital authorities, law maintaining machinery, media and government to see that health care improves and violence against doctors is strongly dealt with. There is a need for a detailed longitudinal study across the country to understand the prevalence, nature and regional differences in violence perpetrated against doctors in the state of Tamilnadu. There is no reason to wait now to stop this violence against doctors and take preventive measures.

Page 5 of 6

S. PRABAKARAN
SENIOR ADVOCATE



TAMIL NADU ADVOCATES' ASSOCIATION

Madras High Court Campus, Chennai-600 104

S. PRABAKARAN
President

The most disturbing challenge for health care providers during emergencies is when they themselves are the victims of attacks – real or threatened, targeted or indiscriminate. Yet we witness with alarming frequency a lack of respect for the sanctity of health care, for the right to health care, and for international humanitarian law: patients are shot in their hospital beds, medical personnel are threatened, intimidated or attacked, hospitals are bombed. Such attacks not only endanger health care providers; they also deprive people of urgently needed care when they need it most. And while the consequences of such attacks are as yet largely undocumented, they are presumed to be significant – negatively affecting short-term health care delivery as well as the longer-term health and well-being of affected populations, health systems, the health workforce, and ultimately our global public health goals.

Let us stand by each and every healthcare worker, they are the real heroes,"

Jai Hind

Your's

(S. PRABAKARAN)

SENIOR ADVOCATE

Page 6 of 6