WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 14525 of 2026

Nivetha Petitioner(s)

Vs

1. The District Collector
Collectorate Building Sathuvacharry
Vellore District.

2.The Director Of Medical And Rural
Health Services (dms)
No.361 3rd Floor, DMS Complex Anna
Salai, Teynampet Chennai 600066.

3.The Deputy Director Of Health
Services (ddhs)
New Collectors Buildings B-Block 2nd
Floor Sathuvacharry Vellore District.

4.The Government Vellore Medical
College And Hospital
Rep. by its Dean Arani Road,
Adukkamparai Vellore District.

5.The Government Vellore Medical
College And Hospital
Rep. by its Duty Doctor Department of
Obstetrics and Gynecology Arani Road,
Adukkamparai Vellore District.

6.Arunadevi (staff Nurse) Respondent(s)

PRAYER: Petition filed under Article 226 of Constitution of India, directing the 2nd respondent to pay a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) towards compensation for amputating right hand thumb finger of the new born child (son) of the petitioner born on 24/05/2025 at 4th respondent hospital, based on petitioner representation dated 09/03/2026.

For Petitioner(s): Mr.D.Rameshkumar

For Respondent: Mr.K.T.Tippu Sulthan for R1 to R5

WEB COPY

Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse order is passed against the private respondent, notice to the private respondent is dispensed with.

2. This writ petition has been filed for a direction, directing the 2nd respondent to pay a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) towards compensation for amputating right hand thumb finger of the new born child (son) of the petitioner born on 24/05/2025 at 4th respondent hospital, based on petitioner representation dated 09/03/2026.

3. It is case of the petitioner that the petitioner was admitted to the fourth respondent hospital on 24.05.2025. Due to medical complication, her male child was kept in incubator and his right hand got swollen while injecting glucose While removing the injection, due to the negligent act of the 6th respondent, the right hand thumb finger was totally cut off. Immediately, the child was shifted to ICU, after two hours, was rushed to Stanley Government Hospittal, Chennai, however, it was informed that nothing can be done and the thumb finger cannot be put in use. Thereafter, FIR was registered in Cr.No.119/2025 dated 31.05.2025 for the offences under Sections 125(b) of BNS Act, 2023 was

WEB COPY

registered against the sixth respondent. Thereafter, the petitioner sent a representation on 09.03.2026 seeking for compensation, however, the same is pending without consideration. Hence, this writ petition.

4.Heard both sides and perused the materials placed on record.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the second respondent to consider the representation of the petitioner dated 09.03.2026 with regard to the compensation and pass appropriate order on merits and in accordance with law after hearing the petitioner and conducting enquiry as against the sixth respondent. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this Order.

6. Accordingly, this writ petition stands disposed of. No costs.

20-04-2026

dhk
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

WEB COPY

To

1.The District Collector
Collectorate Building Sathuvacharry
Vellore District.

2.The Director Of Medical And Rural
Health Services (dms)
No.361 3rd Floor, DMS Complex Anna
Salai, Teynampet Chennai 600066.

3.The Deputy Director Of Health
Services (ddhs)
New Collectors Buildings B-Block 2nd
Floor Sathuvacharry Vellore District.

4.The Dean
The Government Vellore Medical
College And Hospital
Arani Road, Adukkamparai Vellore
District.

5.The Government Vellore Medical
College And Hospital
Rep. by its Duty Doctor Department of
Obstetrics and Gynecology Arani Road,
Adukkamparai Vellore District.

WEB COPY

M.DHANDAPANI J.

dhk

WP No. 14525 of 2026

20-04-2026