



W.P.(MD) No. 18436 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

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Seethalakshmi

... Petitioner

Vs

1. The Secretary,
Government Health and Family Welfare Department,
Secretariat Building,
Chennai-600 009.

2. The Director of Tamil Nadu Medical Council,
Tamil Nadu Medical Council,
No.959 and 960 Poonamallee High Road,
Purasaivakkam,
Chennai -600 084.

3. The Chairperson,
National Accreditation Board For Hospitals and Healthcare Providers
Tower K-100, First Floor,
World Trade Centre,
Safdarjung Enclave,
Nauroji Nagar, New Delhi – 110029.

4. The District Collector,
Kallakurichi,



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Kallakurichi District- 606 202.

5. The Managing Director,
Iswarya Fertility Center,
Kennet Hospital Road,
Railway Colony Zone 1,
70 Feet Road,
Vaithiyanathapuram,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus respondents 1 to 4 to take appropriate legal action against the fifth respondent based on petitioner's complaint and representation dated 04.04.2026 and direct an independent enquiry into the act of medical negligence committed by the fifth respondent hospital and Award Compensation for the loss of petitioner's twin babies due to gross medical negligence and financial losses caused due to the gross medical negligence by the fifth respondent.

For petitioner : Mr. S.Kasirajan

For R1 & R4 : Mr.S.Venkatesh
Counsel for State of TN

For R2 : Mr.V.Ramesh
Standing Counsel



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ORDER

This Writ Petition is taken up for hearing at the time of admission with the consent of the learned counsel for the petitioner, learned Counsel for State of TN for the respondents 1 and 4 and learned Standing Counsel for the second respondent, after dispensing the notice on the fifth respondent as no adverse order are proposed to be passed against the fifth respondent.

2. The petitioner has filed this Writ Petition to take action against the fifth respondent with whome the petitioner was reportedly taking treatment for IVF.

3. It appears that twins were born on 02.03.2026 in the fifth respondent hospital and since the fifth respondent did not have incubater facility for new borns, the twins were shifted to Government Medical Hospital, where they died on 05.03.2026. The case of the petitioner is that there has been a gross negligence and hence, the registration granted to the fifth respondent is to be cancelled.

4. Having considered the submissions made by the learned counsel for the petitioner, the learned Counsel for State of TN for the respondents 1 and 4 and



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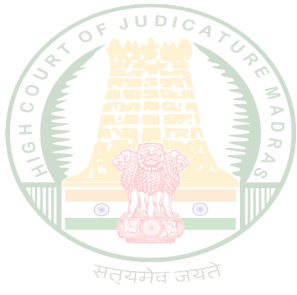
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learned Standing Counsel for the second respondent and also taking note of the provisions of Clinical Establishments (Registration and Regulation) Act, 2010, I am of the view that the petitioner can give a suitable complaint to the third respondent for cancellation of the registration granted to the fifth respondent and also initiate any proceedings for deficiency of service before the jurisdictional consumer Forum, if advised.

5. In the light of the above, the petitioner's representation dated 04.04.2026 is directed to be considered by the third respondent independently.

6. Needless to state, the fifth respondent shall be heard before any adverse orders are passed against the fifth respondent based on the aforesaid complaint of the petitioner.

7. As far as the compensation are concerned, it is for the petitioner to work out remedy in the manner known to law before the summery forum.



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8. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

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