



W.P.(MD) No.19721 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.19721 of 2026

K.Chandran

.. Petitioner

- Vs. -

1. The Dean,
Annal Mahatma Gandhi Medical Government Hospital,
Trichy.
2. The Chairman,
Child Welfare Committee,
First Floor,
No.1, Kalaiarangam New Marriage Hall,
Cantonment, Trichy-1
3. The Inspector of Police,
All Women Police Station,
Kulithalai
Karur.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st respondent to take appropriate steps to terminate the pregnancy of petitioner daughter minor XXX aged about 14 years daughter of K.Chandran on the basis of the petitioner's representation dated 08.07.2026.



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For Petitioner : Mr.B.Sekar

For Respondents : Ms.P.Sudarkodi Nachiar
Counsel for State of Tamilnadu
for R1 and R2

:Mr.P.Vetrivel
Government Advocate(Crl. Side)
for R3

ORDER

This writ petition is listed, after lunch motion was secured by the learned counsel for the petitioner.

2. This writ petition has been filed for issuance of a Writ of Mandamus to direct the 1st respondent to take appropriate steps to terminate the pregnancy of petitioner's minor daughter, XXX, aged about 14 years, on the basis of the petitioner's representation dated 08.07.2026.

3. It appears that the petitioner's minor daughter (hereinafter referred to as 'victim') is in advance stage of pregnancy (26 weeks 6 days as on date).

4. It appears that the proceedings have also been initiated against the person, who had allegedly impregnated the victim.



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5. The petitioner has now approached with the request for terminating the pregnancy of the victim. Pursuant to the representation dated 08.07.2026, *prima facie*, indications are that medical termination of pregnancy cannot be permitted in view of restrictions contained in Section 3(2D) of the Medical Termination of the Pregnancy Act, 1971.

6. However, the Court, from time to time, has been intervening and thereby diluted the rigors of the aforesaid provision. Recently the Hon'ble Supreme Court in *A (Mother of X) vs. State of Maharashtra & Others*, (Civil Appeal No.827 of 2026) *vide* its order dated 06.02.2026 had permitted termination of pregnancy beyond the above prescribed time limit if it was safe and did not endanger the life of the victim there, at the 28th week.

7. Following the order of the Hon'ble Supreme Court recently, this Court, in the case of one *K.Selvaraj v. The Dean and others*, in W.P(MD)No.17266 of 2026 *vide* order dated 19.06.2026, had also ordered as under:



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“6. In view of the above, the writ petition is disposed of on the following terms:

(i) Notwithstanding the age of the fetus or the duration of the pregnancy, the first respondent shall immediately constitute a Medical Board. Upon examining the victim child, if the Board finds that medical termination can be performed without endangering her life, the same shall be carried out at the earliest possible opportunity.

(ii) It is recorded that the child has already been admitted to the first respondent hospital.

(iii) Without waiting for a certified copy of this order, the authorities shall act upon receipt of the web copy. The procedure shall be carried out in accordance with the recommendations of the Medical Board and in accordance with law. Needless to state, the DNA sample of the fetus shall be stored. No Costs.”

The facts of the case are quite similar to the facts of the said case.

8. Considering the above, the first respondent is directed to immediately constitute a Medical Board as is contemplated under Section 3(2D) of Medical Termination of the Pregnancy Act, 1971 for medical termination of pregnancy of the victim.



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WEB COPY 9. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

10.07.2026

NCC : Yes / No

Index : Yes / No

PJL

Note: Issue order copy today.

To

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Trichy.
2. The Chairman,
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No.1, Kalaiarangam New Marriage Hall,
Cantonment, Trichy-1
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C.SARAVANAN, J.

PJL

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