

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 24682 of 2005

ORDER:

1) The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the proceedings dated 02.09.2005 in Ref.No.APMC/ DC/ 015/ Case No.9/ 2004 on the file of the first respondent, as illegal and arbitrary and to direct the first respondent to delete the names of second and third respondents from the Register maintained under Section 15 of the Andhra Pradesh Medical Practitioners Registration Act, 1968.

2) At the time when the matter is taken up for hearing, it is brought to the notice of the Court that the present writ petition was dismissed for default vide Court order dated 29.12.2010 against the second and third respondent. Now the case is against fourth and fifth respondent. It is also brought to the notice of the Court that the fifth respondent hospital has been closed.

3) The grievance of the petitioner is with regard to negligence of the doctors in performing the surgery at fifth respondent hospital. Learned counsel for the respondents placed on record material to show that the petitioner has already approached the Medical Council complaining about the negligence of the doctors. After conducting an enquiry, the Andhra Pradesh Medical Council, found that there was no *prima facie* evidence about the negligence on the part of the fifth respondent hospital, which was

approved by the General Body of Andhra Pradesh medical Council in it's meeting held on 29.08.2005.

4) Having regard to the above, I see no merits in the writ petition and the same is accordingly dismissed. However, the petitioner is always at liberty to avail the recourse, if any, permissible under law.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

14.09.2017
gkv



JUSTICE C. PRAVEEN KUMAR