

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.02.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN****W.P. (MD)No.3794 of 2018**

T.Jenitta

... Petitioner

-Vs-

The Dean,
Tirunelveli Medical College
Government Hospital,
Palayamkottai, Tirunelveli District.

... Respondent

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to give appropriate, intensive treatment with appropriate doctors to my husband namely, V.Thomas S/o.Vettumperumal in IP 12436 in respondent Hospital by way of surgery if, and thereafter to monitor the treatment given by the doctors to above named husband.

For Petitioner	: Mr.KA.Raamakrishnan
For Respondent	: Mr.Aayiram K.Selva Kumar, Additional Government Pleader.

ORDER

This Writ Petition has been filed, seeking a direction to the respondent to give intensive treatment to the petitioner's husband, namely, V.Thomas, a remand prisoner.

2.According to the petitioner, her husband was apprehended by the Eral Police Station in Crime No.332 of 2017, subsequently, he was released on bail. Thereafter, on 17.02.2018, the Inspector of Police forcibly took away her husband, illegally detained him and broken her husband's leg, and also foisted a false case against him in Crime No.40 of 2018. Then, she admitted her husband as a inpatient in the respondent hospital on 18.02.2018 and after admission, no proper treatment was given to him. Despite the best offer made by the petitioner, so far, the respondent did not give proper treatment to him. Hence, the present writ petition has been filed.

3.Today, when the matter is taken up for hearing, the respondent has filed a detailed counter affidavit, which reads as follows:-



"I submit that the petitioner husband Thiru.Thomas, Age: 32/ Male, S/o Mr.Vettumperumal, Kakkan nagar, Mullukadu, Tuticorin Dist. was brought by Police as a remand prisoner with RP No.1653 on 18.02.2018 at 1:51 AM. and admitted in Tirunelveli Medical College Hospital, Tirunelveli with IP NO.12436. AR No.1173111. The patient gave a history of accidental fall on 17.02.2018 at 1:00 PM and was not able to use the left knee.

i)Hence the X-ray was taken and was diagnosed to have anterior dislocation of left knee. Appropriate this investigation was done.

ii)Closed reduction was done under I.V. sedation immediately on 18.02.2018 at 2.45 AM and immobilization was done with Tube slab (POP), check x(ray) was taken and the reduction was anatomical and perfect.

iii)Patient was having mild numbness over the leg and foot, which is a complication of nerve stretching during the dislocation injury. It is being treated with steroids medications.

iv)Patient was treated with analgesics and antibiotics and he was further investigated by taking MRI scan which shows the following injury.

1.Anterior cruciate ligament complete avulsion from femoral attachment.

2.Posterior cruciate ligament complete avulsion.

3.Vertical tear of posterior horn of lateral meniscus.

4.Avulsion fracture of fibular head with complete rupture of lateral collateral ligament of knee.

5.Partial thickness tear of lateral patellar retinaculum in mid level.

Further treatment:

i)Patient needs complete immobilization for 3 (three) weeks in tube cast (POP).

ii)After 3 weeks, patient will need Arthroscopical surgery after taking repeat MRI. For this surgery patient will be referred to higher centre, Department of Arthroscopy & Sports Injury at Tamil Nadu Government Multi Super Specialty Hospital, Omandurar Government Estate, Chennai, which is the official referral centre for Tirunelveli Medical College Hospital, Tirunelveli."

4.Considering the counter affidavit filed by the respondent, this Court satisfied that the proper treatment is now given to the petitioner's husband, and the doctors are taking steps to refer him to the Multi Super Speciality Hospital at Chennai, for the surgery.



5. In the above circumstances, no further adjudication is required in this writ petition. However, the respondent / Dean, Medical College Government Hospital is directed to monitor the treatment given to the petitioner.

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

Sd/-
Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

The Dean,
Tirunelveli Medical College
Government Hospital,
Palayamkottai, Tirunelveli District.

+1cc to The Spl.Government Pleader SR.No.51980

MYR

VB/SV/MMS/SAR4/15/03/2018/3P/3C

W.P(MD)No.3794 of 2018
26.02.2018