



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2018

CORAM:

**THE HON'BLE Mr. JUSTICE R.SUBBIAH**

**AND**

**THE HON'BLE Mrs. JUSTICE R.THARANI**

W.P. (MD) No.23670 of 2018

Minor J.Niranjana Devi  
Rep.by her father and natural guardian,  
K.Jeyakumar

... Petitioner

Vs.

1.The Dean,  
Theni Government Hospital,  
K.Vilakku,  
Theni, Theni District.

2.The Sub Inspector of Police,  
Rayappanpatti Police Station,  
Theni District.

... Respondents

**PRAYER:** The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to abort the two months old foetus growing inside the womb of the petitioner's minor daughter namely, J.Niranjana Devi, daughter of Jeyakumar by proper medical process on her admission within a time as stipulated by this Court

For Petitioner : Mr.P.Gunasekaran  
For Respondents : Mr.V.R.Shanmuganathan, Spl.G.P.

**ORDER**

(Order of the Court was made by **R. SUBBIAH, J.**)

This Writ petition has been filed to issue a Writ of Mandamus, directing the first respondent to abort the two months aged foetus growing inside the womb of the petitioner's minor daughter namely, J.Niranjana Devi, by proper medical process within a time frame.

2.Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the respondents. By consent, this Writ petition itself is taken up for final disposal at the admission stage itself.

3.When the matter is taken up for consideration, the learned Special Government Pleader appearing for the respondents on



instruction submitted that foetus is 8 weeks inside the womb of the petitioner's minor daughter.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. As per Section 3 of the Medical Termination of Pregnancy Act, 1971, a pregnancy may be terminated by a registered medical practitioner if the length of pregnancy does not exceed twelve weeks.

6. In view of the said provision, this Court is of the view that there may not be any impediment to carry on termination by a registered medical practitioner. Hence, we find that there is no need to entertain this Writ petition. Accordingly, this Writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS I)

/True Copy/

Sub Assistant Registrar (CS II)

To

1. The Dean,  
Theni Government Hospital, K.Vilakku, Theni, Theni District.

2. The Sub Inspector of Police,  
Rayappanpatti Police Station, Theni District.

1CC TO MR. P GUNASEKARAN, ADVOCATE SR 99276  
1CC TO THE SPL GOVT PLEADER SR 99303

W.P. (MD) No. 23670 of 2018

SP RSK SAR 2 10.12.2018 2P 5C