



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

SUO MOTU W.P. (MD) No.19190 of 2018

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

... Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Rep. by its Chief Secretary,
Secretariat, Chennai.
- 2.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.
- 3.The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, St. George Fort, Chennai.
- 4.The District Collector,
Kanyakumari District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, (a) directing the concerned authorities to render all possible medical assistance to Mrs.Shobha W/o.S.Ramesh Babu, (b) directing the concerned authorities to pay interim compensation that may be fixed by this Hon'ble Court depending upon the conditions of the patient and (c) to pass an order on the request made by the daughter of the patient for enthanasia.

For Petitioner : Mr.N.Tamilmani
Standing Counsel for High Court.

For Respondents : Mr.K.Chellapandian
Additional Advocate General,
Assisted by
Mr. A.K.Baskara Pandian
Special Government Pleader

**O R D E R****(Order of the Court was made by M.M.SUNDRESH, J.)**

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This writ petition has been taken up suo-motu action pursuant to the letter addressed to the Registry by the daughter of Mrs.Shoba.

2.As directed by this Court on 11.09.2018, a report has been submitted by the Medical Team of Kanyakumari Government Medical College Hospital, Asaripallam. The following is the conclusion of the Medical Team:

"From the above findings, we the expert committee are of opinion that Mrs.Shoba 39/F is in a condition of PERSISTENT VEGETATIVE STATE with remote possibility of recovery. SHE MAY BE CONTINUED ON SUPPORTIVE CARE AND REHABILITATION."

Thus, it would not be possible to give any concrete treatment as there is very little chance of recovery.

3.The only other factor is to be considered is the financial expectation. The daughter of Shoba does not have any means. Certainly for taking care of Shoba some money is required. Considering the pitiable condition, we deem it fit to direct the District Collector, Kanyakumari District to pay a sum of Rs.5,000/- for the maintenance and medical expenses of Shoba.

4.Accordingly, we direct the District Collector, Kanyakumari District to pay a sum of Rs.5,000/- (Rupees Five Thousand only) for the maintenance and medical expenses of Shoba from November, 2018 onwards till her life time, apart from Rs.1,000/-, which has been paid as disabled pension.

5.This Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.



2.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

WEB COPY

3.The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, St. George Fort, Chennai.

4.The District Collector,
Kanyakumari District.

Copy to
The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

Suo motu
W.P. (MD) No.19190 of 2018
10.10.2018

SJ
TR/SKN/SAR-I (26.10.2018) 3P 6C