

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.25749 of 2017

R.Ramprasath

.. Petitioner

Vs.

1.The Member Secretary,
Medical Council of India,
Pocket - 14, Sector -8, Dwarka Phase -I,
New Delhi - 110 077.

2.The Director of Medical Services,
DMS Compound, Nandanam, Chennai - 18.

3.The Administrator,
Tamilnadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam, Chennai - 106.

4.Dr.Kavitha Gautham

5.Dr.Misha Pepsi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents nos.1 to 3 to pass appropriate orders on the representation dated 26.08.2017 made by the petitioner herein to initiate necessary action against the 4th and 5th respondents.

For Petitioner : Mr.S.Sathish

For Respondents : Mr.N.Sakthivel,
Additional Government Pleader
for R2 & R3

No appearance for R1, R4 & R5

O R D E R

Heard, Mr.S.Sathish, learned counsel for the petitioner and Mr.N.Sakthivel, learned Additional Government Pleader for

the second and third respondents. Despite the names of the counsel for R1 as well as R4 and R5 being printed in the cause list, there is no appearance on their behalf.

2.The short grievance expressed is that the representation dated 26.08.2017, addressed to a slew of persons including the first, second and third respondents, requests that necessary action be taken against certain named Doctors for negligence in conduct of surgery upon the wife of the petitioner on account of which, she had expired.

3.Learned counsel for respondents 2 and 3 agree that the representation, if already not disposed of, may be directed to be disposed of by R3, since the matter has been hanging fire since 2017 and till date with no response whatever from the respondents.

4.I am inclined to permit the petitioner to send a fresh representation to the third respondent. Such representation, if issued within a period of four weeks from the date of receipt of a copy of this order, shall be considered by the third respondent, after hearing the petitioner and disposed within a period of four weeks from the date of conclusion of the personal hearing.

5.The writ petition is disposed of in the above terms. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

tsg/vs

To

1.The Member Secretary,
Medical Council of India,
Pocket - 14, Sector -8, Dwarka Phase -I,
New Delhi - 110 077.

2.The Director of Medical Services,
DMS Compount, Nandanam, Chennai - 18.

3.The Administrator,
Tamilnadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam, Chennai - 106.

+2 cc's to Mr.S.Sathish, Advocate, Sr.No. 41137, 40184

+1 cc to The Government Pleader, Sr.No. 40622

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VGII(CO)
CSL/30.04.2019



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