



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD).No.19775 of 2019

and

W.M.P. (MD).No.16263 of 2019

Mrs.K.Kalaiselvi

... Petitioner

Vs.

1.Tamil Nadu State Medical Council,
No.914, Poonamalle High Road,
Arumbakkam,
Chennai.

2.The Joint Director of Health,
O/o.The Joint Director of Health,
Gandhiji Road,
Thanjavur-613 007

3.The District Health Officer,
O/o.The District Health Office,
Gandhiji Road,
Thanjavur-613 007.

4.Dr.Radhika Rani M.D., (O&G)

... Respondent

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.2 to take suitable, necessary and swift action against respondent No.4 for carrying out unethical practice and procedures and contravening the mandatory provisions of the Pre-conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection Act, 1994) within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R1 to R3 : Mr.A.K.Baskara Pandian
Special Government Pleader

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.T.Lajapathi Roy, learned counsel appearing for the

<https://hcservices.ecourts.gov.in/hcservices/>



petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondent Nos.1 to 3.

2.By consent on either side, this writ petition is taken up for disposal.

WEB COPY

3.On going through the petition, we find that this not a genuine public interest litigation, as enough document to show that there is some dispute between the petitioner and the fourth respondent.

4.In fact, it is the submission of the learned counsel for the petitioner that there is some personal dispute and therefore, the petitioner seeks permission to withdraw this writ petition.

5.Considering the fact that the writ petition has been filed designed as a public interest litigation, we cannot permit the withdrawal of the petition. However, we make it clear that because of the dismissal of this writ petition, it does not mean that we have given a seal of approval to the activities of the fourth respondent, but the dismissal of the writ petition is only on the ground that this cannot be treated as a public interest litigation.

6.With the above clarification, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

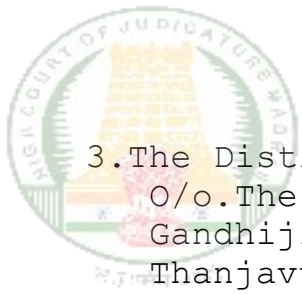
// True Copy //

Sub Assistant Registrar(CS)

To

1.Tamil Nadu State Medical Council,
No.914, Poonamalle High Road,
Arumbakkam,
Chennai.

2.The Joint Director of Health,
O/o.The Joint Director of Health,
Gandhiji Road,
Thanjavur-613 007



3.The District Health Officer,
O/o.The District Health Office,
Gandhiji Road,
Thanjavur-613 007.

WEB COPY

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-86992[F] dated
17/09/2019)

+1 CC to M/s.SPL GP (SR-87243[F] dated 17/09/2019)

W.P. (MD) .No.19775 of 2019

and

W.M.P. (MD) .No.16263 of 2019

16.09.2019

_KM/ (16.10.2019) 3P 6C