

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.11543 OF 2019

ORDER:

The present writ petition is filed questioning the inaction on the part of the respondent Nos.3 and 2 in registering First Information Report pursuant to the complaints dated 11.12.2018 and 06.02.2019 lodged by the petitioner as arbitrary and illegal with a consequential direction to respondent No.3 to initiate action against respondent Nos. 4 and 5 on the complaint lodged by the petitioner.

Heard Smt. B. Rachana Reddy, learned counsel for the petitioner, and learned Assistant Government Pleader for Home, and perused the material on record.

The main grievance of the petitioner is that respondent No.3 has not registered a case against respondent Nos.4 and 5 based on the complaint of the petitioner. The cause of the petitioner in the complaint, is stated to be the death of the petitioner's husband, which the petitioner claims is due to negligent treatment provided in MICU of the 4th respondent hospital.

Learned Government Pleader for Home on the basis of written instructions dated 17.06.2019, a copy of which is placed on record before this Court, submits that on receiving

the complaint from the petitioner, the 3rd respondent enquired into the matter and made an entry in the General Diary on 10.12.2018.

The learned Government Pleader for Home further submits that the 3rd respondent – SHO on 31.12.2018, made representations to the Superintendent, Osmania General Hospital, Hyderabad, and the Director, Medical Education, Koti, Hyderabad, requesting to verify the case sheet along with the report of the deceased Bandi Narayana Reddy and furnish their opinions as to whether there is any negligence on the part of the doctor who treated the deceased for the purpose of investigation. Thereafter, the said authorities requested the MNJ Institute of Oncology and Regional Cancer Centre, Red Hills, Hyderabad, for final opinion. It is further stated that the said institute has given medical opinion on 20.03.2019 over the death of deceased stating that the treatment given seems to be appropriate as per record. As per the opinion of the DME Constituted Committee of Doctors, the treatment given seems to be appropriate as no negligence was found on the part of the management of 4th respondent hospital and the 5th respondent. Hence, the complaint is closed and informed the same to the petitioner through the speed post on 13.06.2019.

In so far as further complaint of the petitioner dated 18.03.2019, the learned Assistant Government Pleader

submits that on receipt of the complaint through proper channel, the same was entered in the General Diary.

As the grievance of the petitioner in the present proceedings relate to inaction of the official respondents on the complaints of the petitioner, which on the basis of the above submissions stands duly redressed, this Court is of the view that no further orders need be passed in this matter. Since the closure of the complaint is already communicated to the petitioner, it is open for the petitioner to avail remedies by approaching appropriate forum in accordance with law.

Accordingly, recording the aforesaid submission of the learned Assistant Government Pleader for Home, the Writ Petition is closed. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending stand closed.

Date: 14.11.2019.

MRKR

T. VINOD KUMAR, J