



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 11836 of 2020

Shaipullakhan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by the Principal Secretary,
Health and Family Welfare Department, Chennai.

2. The Authorization Committee cum
Director of Medical and Rural Health Services, Chennai.

3. The Dean or Authorized Officer,
Cethar Hospitals,
C-108, Fort Station Road,
5th Cross Thilagar Nagar, Trichy-18.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to grant permission to the third respondent hospital to perform kidney transplant surgery to the petitioner.

For Petitioner : Mr.K.Navaneetharaja

For R1 and R2 : Mr.P.Mahendiran

Additional Government Pleader

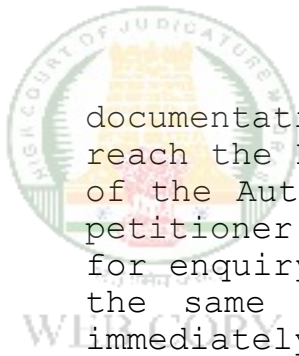
O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2. Considering the nature of relief to be granted, notice to the third respondent is dispensed with.

2. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The writ petitioner has suffered renal failure. He has identified a donor for organ donation. The petitioner states that he has obtained all the statutorily required documents except the medical certificate in Form-IV. It appears that due to some issues with the third respondent, the said certificate could not be placed before the Authorization Committee, Government Rajaji Hospital, Madurai.

4. The petitioner states that now, he will approach the some other hospital and obtain necessary certificate in form-IV. The petitioner is confident that he will be able to complete the



documentation within fifteen days. If the petitioner can do so and reach the Dean, the Government Rajaji Hospital, Madurai, the meeting of the Authorization Committee will be convened on 16.10.2020. The petitioner as well as the donor shall appear before the committee for enquiry on the said date. The committee will take a decision on the same day and it will be served by them on the petitioner immediately and without delay.

5.The writ petition is disposed of. No costs.

6.It is stated that the original records are with the third respondent. The third respondent is directed to hand over all the original records pertaining to the petitioner immediately and without any delay.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

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Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary,
The Government of Tamil Nadu,
Health and Family Welfare Department, Chennai.
- 2.The Authorization Committee cum
Director of Medical and Rural Health Services, Chennai.
- 3.The Dean or Authorized Officer,
Cethar Hospitals, C-108, Fort Station Road,
5th Cross Thilagar Nagar, Trichy-18.

Copy to:

The Dean,
Government Rajaji Hospital, Madurai.

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