



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Thursday, the Fifteenth day of October Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WP (MD) .No.14493 of 2020

M.Uma Maheswari

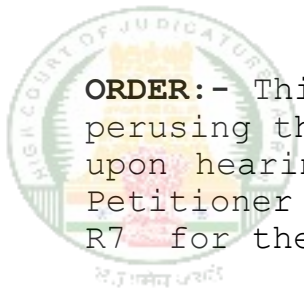
... Petitioner

Vs

- 1 State of Tamil Nadu Rep By
The Principal Secretary,
Home Department,
State of Tamil Nadu Secretariat,
Fort St. George, Chennai.
- 2 State of Tamil nadu Rep. By
The Principal Secretary,
Department of Health and Family Welfare,
State of Tamil Nadu Secretariat,
Fort.St.George, Chennai.
- 3 The Member Secretary,
The State Legal Services Authority,
North Fort Road,
High Court Campus, Chennai.
- 4 The District Collector,
Office of the District Collector,
Thanjavur District.
- 5 The Chairman,
District Legal Service Authority,
District Court Building, Thanjavur.
- 6 The Dean,
Raja Mirasdhar Government Hospital, Thanjavur.
- 7 The Inspector of Police,
All Women Police Station,
Pattukottai, Thanjavur.

... Respondents

Prayer:- This Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus to direct the Respondents No.6 to medically terminate the pregnancy of the petitioners daughter and direct the Respondent No.1 to 5 to pay adequate compensation to the petitioner's daughter.



ORDER:- This Writ Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. R. Alagumani, Advocate for the Petitioner and of Mr. R. Srinivasan, Government Advocate For R1 to R7 for the respondents, this Court made the following order:

Heard the learned counsel on either side.

2. The petitioner's daughter KS was kidnapped by the accused in Crime No.123 of 2020 on the file of Pattukottai Town police station. She is now aged about 16 years. She has been impregnated. She is said to be in 24th week of pregnancy.

3. Considering the circumstances, in the interest of the child, the mother wants to have the pregnancy terminated. Therefore, the seventh respondent will make arrangements to produce the girl before the Medical Board of the sixth respondent hospital. The sixth respondent is directed to report the Medical Board immediately. Report will be submitted to this Court as regards the advisability of terminating pregnancy. This is a matter in which the experts can take a call and not this Court.

4. Call this case on 16.10.2020 at 04.30p.m.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

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,
Home Department,
State of Tamil Nadu, Secretariat,
Fort St. George, Chennai.



2 The Principal Secretary,
Department of Health and Family Welfare,
State of Tamil Nadu, Secretariat,
Fort.St.George, Chennai.

3 The Member Secretary,
The State Legal Services Authority,
North Fort Road,
High Court Campus, Chennai.

4 The District Collector,
Office of the District Collector,
Thanjavur District.

5 The Chairman,
District Legal Service Authority,
District Court Building, Thanjavur.

6 The Dean,
Raja Mirasdhar Government Hospital,
Thanjavur.

7 The Inspector of Police,
All Women Police Station,
Pattukottai, Thanjavur.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 15/10/2020

POST ON 16/10/2020 at 4.30P.M.

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ORDER
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WP(MD) . No.14493 of 2020

Giving direction and etc.
as stated within.

SDS (15.10.2020) 3P-9C