



W.P.No.25054 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25054 of 2021

And

W.M.P.No.26395 of 2021

S.Saranya (Acid Survivor)

... Petitioner

Vs.

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Home Department,
2nd Floor Main Building,
Rajaji Road,
Fort St. George,
Chennai - 600 009.

2.The Dean,
Rajiv Gandhi Government General Hospital,
Chennai - 600 001.

3.The Member Secretary,
TRANSTAN,
1045 / 1046, 1st Floor,
Tamil Nadu Government Multi Super Speciality Hospital,
Omandurar Government Estate,
Anna Salai,
Chennai - 600 002.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents 2 and 3 to find a



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suitable donor and perform renal transplantation on the petitioner on priority basis.

For Petitioner : Ms.V.Alamelu
For Respondents : Mr.U.Baranidharan
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 2 and 3 to find a suitable donor and to perform renal transplantation on the petitioner on priority basis.

2.The case of the petitioner is that the petitioner is an acid survivor. Acid was splashed on her on 27.04.2010 due to which she suffered extensive injuries on right side head, face, shoulder back, chest etc., apart from facial disfigurement and due to the steroids and antibiotics taken for treatment of the same, both her kidneys failed. Hence, she approached the Dean of the Rajiv Gandhi General Hospital and the Dean informed the petitioner that she could get transplantation only according to the serial number and the petitioner was advised to approach the Authority. Hence, the petitioner has filed this writ petition.



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3.The learned counsel appearing for the petitioner would submit that the accused who splashed acid on the petitioner's face was directed to pay a compensation of Rs.10 Lakhs to the petitioner, out of which, a sum of Rs.7 Lakhs was directed to be kept in fixed deposit (maturity date of the said deposit is on 19.03.2028) and a sum of Rs.3 Lakhs was directed to be paid to the petitioner. The learned counsel would further submit that the petitioner has not made any representation to the second respondent, however, this Court may issue direction to the second respondent to pass appropriate orders.

4.Mr.U.Baranidharan, learned Additional Government Pleader who takes notice on behalf of the respondents would submit that the petitioner without making appropriate application for renal Transplantation before the second respondent or before the Authorisation Committee (Organ Transplantation), who is not a party in this writ petition, has directly filed this writ petition, which is unsustainable one. Hence, this Court may direct the petitioner to approach the second respondent or the Authorisation Committee (Organ Transplantation) with proper application and if any such application is received from the petitioner, the same will be considered



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and appropriate orders will be passed as expeditiously as possible, considering the health condition of the petitioner.

5.In the absence of any medical records and appropriate application before the competent Authorities, this Court cannot issue any direction to respondents 2 and 3. However, considering the grievance of the petitioner, this Court permits the petitioner to make appropriate application either before the second respondent or before the Authorisation Committee (Organ Transplantation). If any such application is filed by the petitioner, the competent person shall pass appropriate orders, as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



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