



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.P.(MD)No.9188 of 2021

Rengam

... Petitioner

Vs

1.The Director General of Police,
O/o. Director General of Police,
Mylapore, Chennai

2.The Deputy Inspector General of Police,
O/o. Deputy Inspector General of Police,
Trichy Range, Trichy.

3.The Superintendent of Police,
Pudukkottai District, Pudukkottai

4.The Dean,
Government Medical College and Hospital,
Pudukkottai, Pudukkottai District

5.The Deputy Superintendent of Police,
Keeranur, Pudukkottai District

6.The Inspector of Police,
Keeranur Police Station,
Pudukkottai District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, to reconduct the post mortem of the body of the petitioners daughter-in-law namely Rajeswari W/o Aringar and to produce the viscera report before this Court based on the petitioner's representation dated 16.04.2021.

For Petitioner : Mr.A.Purantharadhas

For Respondents : Mr.M.Muthumanikkam,
Government Advocate(Crl.Side)

O R D E R

This petition has been filed seeking for a direction to reconduct the post-mortem on the body of the petitioner's daughter-in-law viz., Rajeswari, W/o Aringar and to produce the viscera report before this Court based on the petitioner's representation dated 16.04.2021.



2.The learned counsel for the petitioner would submit that the petitioner's son viz. Aringar was married to one Rajeswari and after the marriage, both of them lived in his house for four months. In the mean time, his daughter-in-law's mother/Manimekalai and brother/Karthi came to his house and they gave Aadi seer and took Rajeswari to her parental home. After 10 days, a third person told her through phone that the said Rajeswari died in the Government Hospital, Pudukottai. Immediately, the petitioner and his son have went to the Hospital, but, they were not allowed to see the deceased/Rajeswari and they buried the deceased without their knowledge and also did not give any information about the death of the deceased. In the meantime, the sixth respondent registered a case in Crime No.421 of 2020 for the offence under Section 174(3) Cr.P.C and the sixth respondent and the Revenue Divisional Officer have not conducted any enquiry in this case and the death of the deceased is a suspicious one. In this regard, the petitioner has made a representation, on 16.04.2021, before the respondents, seeking to re-conduct the post-mortem in order to find out the truth. Since so far the respondents did not take any action, the petitioner has filed this writ petition.

3.The learned Government Advocate (Crl.Side) appearing for the respondents, on instructions, would submit that the Department of Forensic Medicine and Toxicology, Government Medical College and Hospital Pudukkottai, in its report, has given a finding that the post-mortem was conducted and the cause of death is due to coronary artery disease and its complication, a natural cause.

4.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

5. Considering the submissions made by the learned Government Advocate for the Respondents and the report submitted by him, including the medical opinion given thereon, ordering re-postmortem as prayed for in this Writ Petition, is not necessary, as this Court also finds no valid ground or suspicious circumstances, for ordering re-postmortem as prayed for and hence, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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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 Director General of Police,
O/o. Director General of Police,
Mylapore, Chennai
- 2.The Deputy Inspector General of Police,
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