



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.02.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH  
AND  
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**Suo motu W.P. (MD)No.24908 of 2018**

(Through Video Conferencing)

The Registrar (Judicial)

Madurai Bench of Madras High Court

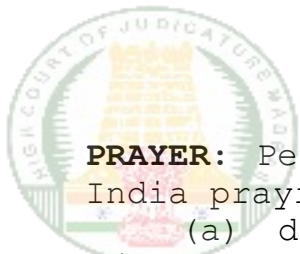
Madurai.

: Petitioner

Vs.

- 1.State of Tamilnadu  
Rep. by its Chief Secretary to Government  
Fort St. George, Chennai.
  - 2.The Principal Secretary to Government (Health Department)  
Fort St. George, Chennai
  - 3.The Principal Secretary to Government (Cooperative Department)  
Fort St. George, Chennai.
  - 4.The Registrar of Cooperative Societies,  
Kilpauk, Chennai.
  - 5.The Medical Superintendent/General Manager,  
Kanyakumari District Cooperative Hospital  
Kulashekaram
  - 6.Dr.M.K.Balajayanthi  
Obstetrician & Gynaecologist  
Kanyakumari District Cooperative  
Society Hospital Ltd.,
  - 7.Dr.Thiyagarajan  
Anesthetist  
Kanyakumari District Cooperative  
Society Hospital ltd.,
- : Respondents

(R6 & R7 are suo motu impleaded vide order of this Court dated 30.01.2019)



**PRAYER:** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus

(a) directing the State to pay compensation to Mrs.Shobha, W/o.S.Ramesh Babu, Aswathi Vilasam Edaikkattan Kalai, Ponmani (PO) Kanyakumari District - 629 161, on account of the medical negligence committed by the Staff of the Kanyakumari District Cooperative Hospital, Kulashekaram which is a society registered with the Registrar of Cooperative Societies.

(b) directing the concerned authorities to render all possible medical assistance to Mrs.Shobha W/o.S.Ramesh Babu Aswathi Vilasam, Edaikkattan Kalai, Ponmani (PO), Kanyakumari District - 629 161.

For Petitioner : Mr.Pala Ramasamy

For Respondents : Mr.K.P.Krishnadoss for R1 to R5  
Special Government Pleader

Mr.T.Lajapathi Roy  
Amicus Curiae

**ORDER**

(Order of the Court was made by M.M.SUNDRESH, J.)

This is a *suo motu* writ petition seeking a Writ of Mandamus directing the concerned authority to render all possible assistance to one Mrs.Shobha, W/o.Ramesh Babu.

2. In the affidavit filed by the respondents 1 and 3, it has been stated that the order passed by this Court with respect to payment of amount by way of one time assistance has been complied with. The claim petition in C.C.No.5/2015 on the file of the Consumer Court has been ordered.

3. The learned Special Government Pleader submitted that the Society has also become liquidated.

4. In view of the above, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR



To

1.The Chief Secretary to Government  
Fort St. George,  
Chennai.

2.The Principal Secretary to Government (Health Department)  
Fort St. George  
Chennai

3.The Principal Secretary to Government (Cooperative Department)  
Fort St. George,  
Chennai.

4.The Registrar of Cooperative Societies,  
Kilpauk, Chennai.

5.The Medical Superintendent/General Manager,  
Kanyakumari District Cooperative Hospital  
Kulashekaram

copy to  
The Registrar (Judicial)  
Madurai Bench of Madras High Court  
Madurai.

+1 CC to M/s.SPL GP ( SR-5309[F] dated 16/02/2021 )

Order made in  
**Suo motu W.P. (MD) No.24908 of 2018**  
Dated: 15.02.2021

SSS(CO)  
TR(24.02.2021) 3P 8C