



WEB COPY



W.P.No.17503 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.17503 of 2022

S.Ameen

... Petitioner

Versus

1. The Tamil Nadu Medical Council
914, Poonamallee High Road,
Amaravathy Nagar, Arumbakkam,
Chennai-600 106.
2. The Director of Medical and Rural Health Services,
DMS Complex,
Chennai-600 006.
3. The District Collector.
Cuddalore District
Cuddalore.
4. The Joint Director of Medical and Rural Health Services,
Cuddalore District,
Cuddalore – 607 001.
5. Dr.D.Sulochana

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the fourth respondent to take appropriate



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action against the fifth respondent under the provisions of the Pre-Conception, Pre-Natal Diagnostics Techniques Act and the Medical Termination of Pregnancy Act by considering the petitioner's representation dated 15.12.2021.

For Petitioner : Ms.M.Kalyani

For Respondents : Mr.T.Seenivasan
Spl.Govt.Pleader
For R.1 to R.4

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the fourth respondent to take appropriate action against the fifth respondent under the provisions of the Pre-Conception, Pre-Natal Diagnostics Techniques Act and the Medical Termination of Pregnancy Act by considering the petitioner's representation dated 15.12.2021.

2.According to the petitioner, the fifth respondent, who is a Doctor and is having a Scanning Centre, has violated the provisions of Pre-Conception, Pre-Natal Diagnostics Techniques Act and the Medical Termination of Pregnancy Act by disclosing the sex of the foetus. In such circumstances, the petitioner has given a representation dated 15.12.2021 to the official



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respondents calling upon them to take action against the fifth respondent. Since there is slow progress, the petitioner has filed this writ petition.

3. Heard Ms.M.Kalyani, learned counsel for the petitioner and Mr.T.Seenivasan, learned Additional Special Government Pleader accepts notice on behalf of the official respondents 1 to 4. By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

4. The learned Special Government Pleader appearing for the official respondents submits that the enquiry proceedings initiated against the fifth respondent is in progress and he seeks three months' time to complete the same.

5. Learned counsel for the petitioner is satisfied with the submissions made by the learned Special Government Pleader appearing for the official respondents.

6. After recording the submissions made by the respective counsels, a



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direction is issued to the fourth respondent to complete the enquiry as against the fifth respondent for the alleged violation of the Pre-Conception, Pre-Natal Diagnostics Techniques Act and the Medical Termination of Pregnancy Act and pass final orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

11.07.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order

To

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Chennai-600 106.
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DMS Complex,
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3. The District Collector.

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4. The Joint Director of Medical and Rural Health Services,
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ABDUL QUDDHOSE, J

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