



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8237 of 2022

WEB COPY

S.Sutha

.. Petitioner

Vs.

1.The Secretary,
Medical Council of India,
Aiwan E-Galib Marg,
Kotla Road,
Opp. To Mata Sundari College for Women,
Near I.T.O.,
New Delhi - 110 002, India.

2.The Secretary,
Health and Family Welfare Department,
Secretariat,
Chennai 600 009.

3.The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Pattinampakkam,
Chennai - 600 028.

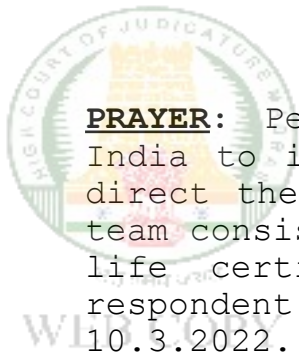
4.The Director,
Tamilnadu Forensic Science Laboratory (TNFSL),
Forensic Sciences Department,
Chennai - 600 004.

5.The Dean,
Office of Dean,
Tirunelveli Medical College,
SH 40, Palayamkottai - 627 011,
Tirunelveli District.

6.The Sub Registrar,
Melapalayam Sub-Registrar Office,
Melapalayam,
Tirunelveli District.

7.Dr.Sridharan,
Register Number: 70757,
Senior Civil Assistant Surgeon,
Tutor in Forensic Medicine,
Tirunelveli Medical College,
Tirunelveli - 627 011.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to direct the 4th respondent to take action and to direct to form the team consisting of Medical officers and concern officers to find the life certificates truthfulness and forgery created by the 7th respondent and to take action based on the representation, dated 10.3.2022.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.D.Sasikumar for R2 to R6
Additional Government Pleader.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to direct the fourth respondent to take action against the 7th respondent for issuing Life Certificate for the petitioner, without the knowledge of the petitioner, based on the petitioner's representation, dated 10.03.2022, within a time frame to be fixed by this Court.

2.The case of the petitioner is that the 7th respondent is her brother. Earlier she had executed a power of attorney in his favour. According to her, without the knowledge of the petitioner, the 7th respondent has issued Life Certificate in her name and has sold the properties belonging to the petitioner. In such circumstances, the petitioner has given a representation on 10.03.2022, to the official respondents, calling upon them to take action against the 7th respondent. Since the representation has not been considered till date, she has filed this writ petition.

3.Heard Mr.V.Malaiyendran, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 2 to 6.

4.On instructions, the learned Additional Government Pleader, appearing for the official respondents would submit that the complaint of the petitioner has already been taken on record and similar complaints of the very same nature have already been referred to the committee constituted by the 5th respondent. The said statement is recorded.

5.For the foregoing reasons, this Court directs the 5th respondent to consider the petitioner's representation, dated 10.03.2022, seeking for legal action against the 7th respondent, who according to the petitioner has been issuing Life Certificate on behalf of the petitioner without her knowledge, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, 7th respondent and other necessary parties, whom the 5th respondent deems fit to enquire, within a period of six months from the date of receipt of a copy of this order.



6. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Admin-I)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar (CS)

TM

To

1. The Secretary,
Medical Council of India,
Aiwan E-Galib Marg,
Kotla Road,
Opp. To Mata Sundari College for Women,
Near I.T.O., New Delhi - 110 002, India.
2. The Secretary,
Health and Family Welfare Department,
Secretariat, Chennai 600 009.
3. The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Pattinampakkam, Chennai - 600 028.
4. The Director,
Tamilnadu Forensic Science Laboratory (TNFSL),
Forensic Sciences Department, Chennai - 600 004.
5. The Dean,
Office of Dean,
Tirunelveli Medical College,
SH 40, Palayamkottai - 627 011,
Tirunelveli District.
6. The Sub Registrar,
Melapalayam Sub-Registrar Office,
Melapalayam, Tirunelveli District.

+1CC to M/s.V.MALAIYENDRAN, Advocate (SR-21739[F] dated 27/04/2022)
+1 CC to M/s.SPL. GP (SR-23081[F] dated 29/04/2022)

ORDER MADE IN
W.P. (MD) No.8237 of 2022
27.04.2022

PKP/18.05.2022/3P/9C

<https://hcservices.ecourts.gov.in/hcservices/>