



W.P.No.9540 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.04.2023

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.9540 of 2023

V.Shanthi

... Petitioner

Vs

1.The Secretary to Government,
Ministry of Health and Family Welfare,
Secretariat, Fort St George,
Chennai.

2. The Dean,
Thiruvarur Government Medical College,
Master Plan Complex, Vilamal Village,
Thiruvarur-610 004.

3. The Inspector of Police,
Thiruvarur Taluk,
Thiruvarur.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ in the nature of Writ or Mandamus directing the 2nd Respondent to enquire into the lapses made by the Thiruvarur Government Medical College Hospital and to pay the adequate compensation towards the loss of life of the petitioner's son.



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For Petitioner ... M/s.S.Thiruvengadam
For Respondents ... Mr.E.Veda Bagath Singh,
Special Government Pleader

ORDER

This Writ Petition has been filed for a direction to the 2nd respondent to enquire into the lapses made by the Thiruvarur Government Medical College Hospital and to pay the adequate compensation towards the loss of life of the petitioner's son.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for respondents.

3. It is the case of the petitioner that her son was admitted into the Hospital due to Head injuries. In spite of the best efforts of the petitioner, proper treatment was not given in the 2nd respondent hospital for the injuries sustained by the petitioner's son. Hence, the FIR was registered by the law enforcing agency. However, due to the negligence and improper treatment of the respondents, the petitioner's son succumbed to the injuries and no diligent efforts were taken by the 2nd respondent inspite of the petitioner's representation



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which has resulted in the death of her son. A counter has been filed by the respondents wherein it has been stated that proper treatment was given to the petitioner's son, but, however, due to medical complications, the petitioner's son died. Hence, this Writ Petition has been filed to enquire into the lapses which resulted in the death of the petitioner's son.

4. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court may issue a direction to the authority concerned to enquire into the lapses caused in giving treatment to the petitioner's son.

5. On the above contention, this Court heard the learned Special Government Pleader appearing for the respondents.

6. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, permits the petitioner to make appropriate complaint along with the copy of this order before the Jurisdictional District Medical Officer. On receipt of the same, the jurisdictional District Medical Officer is directed to constitute an expert



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committee to enquire as to whether any lapses have been made by the Doctors of the 2nd respondent hospital in giving treatment to the petitioner's son and pass appropriate orders on the same within a period of twelve weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

03.04.2023

Index:Yes/No

Internet:Yes

NHS



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To



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1. The Secretary to Government,
State of Tamil Nadu,
Home (Courts-VI A) Department,
Fort St. George,
Chennai-600 009.
2. The District Collector,
Villupuram District,
Villupuram-605 602.



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M.DHANDAPANI, J

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