



W.P.No.13072 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13072 of 2023

Manimegalai

. . . Petitioner

Vs.

1.The Principal Secretary,
Home Department,
Government of Tamilnadu,
Fort St.George, Chennai-600 009.

2.The Principal Secretary,
Health and Family Welfare Department,
Government of Tamilnadu,
Fort St.George, Chennai-600 009.

3.The Dean,
Government Stanly Hospital,
Old Jail Road, Chennai.

4.The Resident Medical Officer,
Government Stanly Hospital,
Old Jail Road, Chennai.

. . . Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second respondents to pay Rs.10 Lakhs as compensation for the injustice caused to the petitioner's deceased husband by the doctors attached with the third respondent hospital.

For petitioner : M/s.A.Poonkodi

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

ORDER

This Writ Petition has been filed for a direction to the first and second respondents to pay Rs.10 Lakhs as compensation for the injustice caused to the petitioner's deceased husband by the doctors pertaining to the third respondent hospital.

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

3. It is the case of the petitioner that her husband was admitted in the Government Stanley Hospital on 09.04.2018, due to severe vomiting



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sensation and giddiness wherein he was not given proper treatment by the doctors. The petitioner was not allowed to communicate with the doctors about the health condition of her husband. Finally, the petitioner was informed that her husband is already dead. Hence, the petitioner made a compliant before the respondents 3 & 4, pursuant to which, the petitioner was called for enquiry by the 3rd respondent. Though, the petitioner appeared for the enquiry, till date, the enquiry was not conducted by the 3rd respondent. Therefore, the petitioner made a complaint before the respondents 1 & 2 to take appropriate action against the erred doctors and sought for compensation towards the death of her husband. However, till date, the same has not been considered. Hence, the petitioner has come up with this Writ Petition.

4. Learned counsel for the petitioner submits that the grievance of the petitioner is though she appeared for the enquiry which was scheduled to be conducted by the 3rd respondent on 13.05.2018, till date, the enquiry has not been conducted by the 3rd respondent. Hence, this Court may direct the 3rd respondent to conduct the enquiry and conclude the same within the time that may be stipulated by this Court.



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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, directs the 3rd respondent to conclude the enquiry proceedings dated 13.05.2018 and pass appropriate orders in accordance with law after affording an opportunity of personal hearing to the petitioner as well as to the aggrieved parties if any, within a period of six 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.

28.04.2023

Index : Yes / No
Internet : Yes / No

NHS



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M.DHANDAPANI, J.

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