



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2023

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.12884 of 2023

R.Thirupathy

... petitioner

-Vs-

1. The Dean,
Government Vellore Medical College,
Adukkamparai, Vellore,
Vellore District.

2. The Inspector of Police,
Kurisilapet Police Station,
Kurisilapet,
Tirupattur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs of Mandamus directing the first respondent to conduct a medical test on feasibility for termination of the pregnancy of petitioner's minor daughter and if possible further direct the first respondent to terminate the pregnancy of the petitioner's minor daughter named T.Anupriya aged 17 years D/o.Thirupathy within the time frame.

For petitioner : Mr.V.Ashok Kumar

For Respondents : Mr.V.Manoharan, AGP

ORDER



This petition has been filed seeking a direction to the first respondent to conduct a medical test on feasibility for termination of the pregnancy of petitioner's minor daughter and if possible further direct the first respondent to terminate the pregnancy of the petitioner's minor daughter named T.Anupriya aged 17 years D/o.Thirupathy.

2. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing on behalf of the respondents and perused the materials available on record.

3. On the earlier occasion, this Court passed the following order:

" The first respondent/ The Dean, Government Vellore Medical College appeared before this Court through Video Conferencing and submitted that the pregnancy of the victim is beyond 24 weeks and there is high risk for pre-mature termination.

2.This Court instructs the first respondent to find out solution for pre-mature termination since the relationship of the offender will not solve the issue in future. However, this Court makes it clear that if the health of the victim permits for pre-mature termination then the first respondent shall proceed for the same and if the health of the victim does not permit for pre-mature termination then the first respondent shall file appropriate report before this Court on or before 05.06.2023. 3.Post the matter on 05.06.2023."



4. When the matter is taken up for hearing, learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the pregnancy of the victim is beyond 40 weeks and she is not fit for termination of pregnancy at this stage. Hence, nothing survives for adjudication.

5. In view of the medical opinion of the Doctor, keeping in mind the health of the victim, this Court is not inclined to grant such prayer sought for by the petitioner. Accordingly, this writ petition is dismissed. No costs.

05.06.2023

rli

To

1. The Dean,
Government Vellore Medical College,
Adukkamparai, Vellore,
Vellore District.

2. The Inspector of Police,
Kurisilapet Police Station,
Kurisilapet,
Tirupattur District.



WEB COPY



M.DHANDAPANI, J.

rli

W.P.No.12884 of 2023

05.06.2023