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W.P.No.2811 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2811 of 2024

M.Dhatshayani

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Registrar of Tamil Nadu Medical Council,
No. 914, Poonamalle High Road,
Arumbakkam, Chennai - 600 106.
- 3.The Joint Director of Health Services,
O/o. Joint Director of Medical Health Service
for Chengalpattu District,
Government Hospital Campus,
Chrompet,
Tambaram, Chennai - 600 044.
- 4.The Dean,
Karpaga Vinayaga Institute of Medical Sciences
and Research Centre, GST Road,
Chinna Kolambakkam,
Palayanoor Post,
Chengalpattu - 603 308.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 3 to take appropriate action against the 4th respondent Hospital for the medical negligence committed and improper treatment provided to the petitioner based on petitioner's representation dated 13.07.2022.

For Petitioner	: Mr.R.Elavarasan
For R1 & R3	: Mr.K.Tippu Sultan Government Advocate
For R2	: Mr.U.Baranidharan Standing Counsel
For R4	: Mr.S.Udaya Kumar

ORDER

With reference to the relief sought for in the present writ petition, alleging medical negligence committed by the 4th respondent / Karpaga Vinayaga Institute of Medical Sciences and Research Centre, the Joint Director of Health Services for Chengalpattu District has conducted an elaborate enquiry.

2. The learned Government Advocate appearing on behalf of the respondents 1 and 3 submitted the copy of the enquiry report, which would



reveal that the complaint submitted by the petitioner before the authority are not entertainable.

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3. In other words, the Joint Director has formed an opinion that there is no such alleged medical negligence has been established for entertaining the complaint. If at all the petitioner is possessing any documents to establish any medical negligence, it is left open to the petitioner to approach the Competent Forum in the manner known to law.

4. With this liberty, this Writ Petition stands disposed of. No costs.

15.04.2024

Jeni
Index : Yes
Speaking order / Non-speaking order
Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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