



W.P.No.19250 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.19250 of 2022

Embar Srinivasan Ravi

... Petitioner

VS.

- 1.The State of Tamil Nadu,
Rep by its Health Secretary,
Department of Health, Medical Education &
Family Welfare,
Secretariat Building, Fort St.George
Chennai, Tamil Nadu – 600 009.
- 2.Directorate of Medical and Rural Health Services
Represented by its Director
359, Anna Salai, Chokkalingam Nagar,
Teynampet,
Chennai, Tamil Nadu 600006
- 3.Balasubramaniam
- 4.Suresh Kumar
- 5.Abhijit Basu
- 6.Gopinath
- 7.Perumal



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8.Gupta

9.Balakrishna

10.Suresh Rao

11.Ramasubramanian

12.Ravikumar

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd Respondents to constitute an independent committee comprising expert doctors from Government Hospital to investigate the complaint dated 07.11.2019 pertaining to the violation of code of professional ethics by the Respondents 3-12.

For Petitioner : Mr.A.M.Manav

For R1 and R2 : Mr.E.Sundaram
Government Advocate

For R3 and R4 : Mr.M.Nagarethinam
for M/s.DR.B.Cheran

For R9 to R12 : Mr.G.K.Kalidasan
for M/s.P.Nehru

For R5 to R8 : Not Ready in Notice

ORDER



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WEB COPY The Writ Petition is filed seeking a direction to the respondents 1 and 2 to constitute an Independent Committee comprising expert doctors from Government Hospital to investigate the complaint made by the petitioner dated 07.11.2019 pertains to the violation of code of professional ethics and medical negligence as against the respondents 3 to 12.

2. The learned Government Advocate appearing for the respondents 1 and 2 would submit that the Dean of Rajiv Gandhi Government General Hospital, Chennai constituted a Committee of Doctors to go into the allegations of medical negligence made by the petitioner and the Committee also filed a report and the same was produced before this Court in the last hearing on 25.11.2024.

3. A perusal of the report would suggest that the Committee of Expert Doctors found there was no medical negligences as against the private respondents as alleged by the petitioner.

4. When the writ petition is taken up for hearing, the learned counsel



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appearing for the petitioner submits that the report submitted by the Committee constituted by the Dean of Rajiv Gandhi Government General Hospital, Chennai, may be recorded and the writ petition may be disposed of.

5. Accordingly, the Writ petition is disposed of by recording the findings of the Committee of Expert Doctors constituted by the Dean, Rajiv Gandhi Government General Hospital, Chennai.

6. The Committee of Expert Doctors have gone into the medical negligence aspect and as far as allegation regarding violation of professional ethics are concerned, it is for the petitioner to workout his remedy in the manner known to law. No costs.

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Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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1. The Health Secretary,
State of Tamil Nadu,
Department of Health, Medical Education &
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Secretariat Building, Fort St.George
Chennai, Tamil Nadu – 600 009.
2. The Director
Directorate of Medical and Rural Health Services
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S.SOUNTHAR, J.

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