



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23302 of 2021

Mrs.C.T.Bharathi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai.
- 2.The Director of Medical Health and Rural Services,
No.359, Anna Salai, Chokkalingam Nagar,
Teynampet, Chennai – 600 006.
3. The Registrar,
Tamil Nadu Medical Council,
No.914, Poonamallee High Road,
Amaravathi Nagar,
Arumbakkam, Chennai – 600 106.
4. Dr.C.T.Karthikeyan
5. Dr.Ramya

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to comply the direction as per Letter dated 24.9.2021 bearing Letter No.35523/Z2/2021-1 issued by the first respondent.



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For Petitioner : Mr.M.Jaikumar
For Respondents : Mr.T.Arunkumar,
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the 2nd respondent to comply with the directions as per the letter dated 24.09.2021 issued by the 1st respondent.

2. The 1st respondent in letter dated 24.09.2021 has not issued any specific direction but enclosed the copy of the complaint given by the petitioner for necessary action to the Director of Medical and Rural Health Services. It is a formal reply given by the Government for initiation of action subject to the condition that such facts require an enquiry from the hands of the Director or any other authority of the Government. Mere forwarding the complaint would not provide a cause for the purpose of filing of the present writ petition.

3. The representation submitted by the writ petition would reveal that he raised a suspicion about the death of his father during the COVID-19 period. The father of the petitioner was treated by the none other than his own brother Dr.C.T.Kathikeyan and his wife Dr.Ramya.



4. When such suspicions are raised by the petitioner or any medical negligence has been alleged the person aggrieved has to approach the Competent Court of Law or for investigation in the manner contemplated. However, Writ Court cannot interfere in such plea for the purpose of granting the relief.

5. Accordingly, this Writ Petition stands dismissed. No costs.

08.02.2024

Jeni
Index : Yes
Speaking order

To

1. The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George, Chennai.
- 2.The Director of Medical Health and Rural Services,
No.359, Anna Salai, Chokkalingam Nagar,
Teynampet, Chennai – 600 006.
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S.M.SUBRAMANIAM, J.

Jeni

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