



WEB COPY



W.P.No.24985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.24985 of 2024

Shema Mariya Abraham

... Petitioner

Vs.

The Registrar,
Tamil Nadu Medical Council,
No.914, Poonamallee High Road,
Arumbakkam,
Chennai – 600 106.
Respondent

...

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to consider the representation dated 17.07.2024 and further direct the respondent to do all things necessary within a reasonable time which may be fixed by this court.

For Petitioner : Mr.Ajya Francis Inigo Loyola

For Respondent : Mr.U.Baranidharan
Standing Counsel

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to



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direct the respondent to consider the representation dated 17.07.2024 and further, direct the respondent to do all things necessary within a reasonable time which may be fixed by this court.

2. Mr.U.Baranidharan, learned Standing Counsel, accepts notice on behalf of the respondent. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, on 25.10.2023, she met with an unfortunate road accident at Vadapalani when she was travelling as a passenger in a OLA auto and the auto collided head-on with another unidentified four-wheeler leaving her with serious injuries. When she was rushed to Vijaya Hospital situated at Vadapalani, she was denied to give first-aid and emergency medical assistance even though she was bleeding and covered in blood. Thereafter, she was rushed to another hospital, namely SIMS, Vadapalani, where she was treated for soft tissue injury-fact, left elbow with humorous fracture, wound debridement + PSS + collagen application. For not treating the petitioner, she has issued a legal notice to all the appropriate authorities and the said Vijaya Hospital on 09.01.2024, pursuant to which, enquiry was conducted on 14.05.2024. However, the enquiry was not concluded, thereby, the petitioner



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has made a representation dated 17.07.2024 before the respondent. Since the said representation was not considered by the respondent, the petitioner has filed the above writ petition seeking appropriate orders.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondent to consider the petitioner's representation dated 17.07.2024 and also direct the respondent to do all the things necessary, within a time frame that may be fixed by this Court.

5. Learned Standing Counsel appearing for the respondent submitted that the enquiry conducted by the respondent based on the legal notice sent by the petitioner dated 09.01.2024 will be concluded and appropriate orders will be passed, within a period of twelve weeks.

6. In view of the above, this court, without going into the merits of the case, directs the respondent to conclude the enquiry conducted by them based on the legal notice sent by the petitioner dated 09.01.2024 and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the petitioner as well as the Vijaya Hospital, Vadapalani, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI, J.

sp

7. With the above direction, this Writ Petition is disposed of. No costs.

30.08.2024

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp

To

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