



W.P(MD)No.5867 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5867 of 2024

M.Packiyam

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Tenkasi District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Tenkasi District.
- 3.The Dean,
Tirunelveli Medical College,
Tirunelveli.
- 4.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to conduct repost mortem the deceased by name Madasamy



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son of Lingamuthu aged 45 years by the team of doctors in accordance with law.

For Petitioner : Mr.I.Sabeermohamed

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader
for R.1 & R.3

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.2 & R.4

ORDER

Heard both sides.

2.The petitioner's husband was found dead on 02.03.2024 in a open field. In this regard, Crime No.131 of 2024 was registered on the file of Kadayanallur Police Station. The Post-mortem was conducted in Tirunelveli Medical College. The forensic Doctor did not find anything unusual. However, final opinion has been reserved since chemical analysis and pathological report are yet to be received. The petitioner was not satisfied. She wanted to conduct second post-mortem. With that request, the present writ petition came to be filed.



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3.The learned counsel appearing for the petitioner drew my attention to the photographs enclosed in the typed set of papers. It is seen therefrom that the skin from the body of the deceased appeared peeled off. This had given rise to suspicion in the mind of the petitioner. She suspects that the death is unnatural. I felt that obtaining second opinion would suffice.

4.The matter was referred to the Madurai Medical College. The Professor and Head of the Department of Forensic Medicine appeared before me and submitted in writing that the skin peeling can occur after the death due to hot atmospheric environment and handling of the body and the post-mortem peeling of skin is not related to the cause of death. I do not find any ground to disbelieve the opinion of Dr.R.Chandrasekar, Professor and Head of the Department of Forensic Medicine

5.In this view of the matter, the request for conducting second post-mortem is rejected. If the petitioner can establish that her husband's death was due to electrocution or any other reason, it is always open to her to move this Court again for relief of compensation.



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6.This writ petition is disposed of accordingly. There shall be no order as to costs.

20.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 21.03.2024.

To

- 1.The District Collector,
Office of the District Collector,
Tenkasi District.
- 2.The Superintendent of Police,
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Tenkasi District.
- 3.The Dean,
Tirunelveli Medical College,
Tirunelveli.
- 4.The Inspector of Police,
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G.R.SWAMINATHAN, J.

MGA

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