



W.P.(MD) No.20245 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.20245 of 2018

S.Pandiaraj

... Petitioner

Vs.

The Chief Medical Officer,
Government Royapettah Hospital,
Chennai – 14.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondent to issue VISCERA Report as per PM.No.218/2017 dated 22.02.2017 for the death of the petitioner's son namely P.Sureshkumar.

For Petitioner : Mr.K.Sureshkumar

For Respondent : Mr.G.Suriyananth
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondent to issue VISCERA Report as per PM.No.218/2017 dated 22.02.2017 for the death of the petitioner's son namely, P.Sureshkumar.



W.P.(MD) No.20245 of 2018

2. The learned Additional Government Pleader for the respondent submits that in response to the petitioner's request for VISCERA Report *vide* letter dated 10.08.2018, the respondent had sent a letter to the petitioner on 06.09.2017 enclosing a copy of the letter dated 22.08.2017 received from the Assistant Professor, Department of Forensic Medicine & Toxicology, Government Royapettah Hospital, Chennai.

3. Relevant portion of the said letter dated 22.08.2017 reads as under:-

As per Section 8 (H) of Right to information Act 2005 (Amended 2008), Copy of the Post-Mortem Certificate and other details pertained to the Medico Legal Cases cannot be provided by the Medical Officer of the Forensic Medicine & Toxicology Department. In addition as per the section 6 (3) (2) of the Right to information amended Act 2008, the post mortem certificate and any documents pertained to medico legal cases should be obtained only from the Investigating Officer / P.A to the collector as the case may be, the subject matter which is closely connected with the appropriate authority or either directly through the court.

Hence the letter of Shri. Pandiayaraj from Aruppukottai can be directed to the concerned Investigating Officer / P.A to the collector and Additional District Magistrate or the Inspector of Police of the concerned Police Station as the case may be and information to that effect may please be conveyed to the concerned individual.



W.P.(MD) No.20245 of 2018

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4. Considering the above, the petitioner is directed to approach concerned Investigating Officer/P.A. to the Collector and Additional District Magistrate or the Inspector of Police of the jurisdictional Police Station for VISCERA Report.

5. Hence, this Writ Petition stands disposed of. No costs.

07.06.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order

JEN

Copy To:

The Chief Medical Officer,
Government Royapettah Hospital,
Chennai – 14.



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W.P.(MD) No.20245 of 2018

C.SARAVANAN, J.

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W.P.(MD) No.20245 of 2018

07.06.2024