



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 23023 of 2025

AND

WMP NO. 25854 OF 2025

1. Omr Priya Diagnostic Centre
Private Limited
Rep. By Its Director K.Ratna
Priya, No.82A, 1st Main Road,
Raju Nagar, Okkium,
Thoraipakkam, Chennai-600 097.

Petitioner(s)

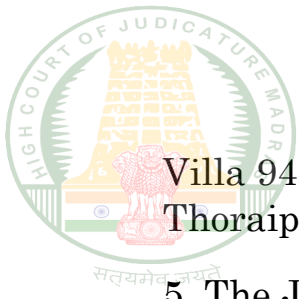
Vs

1. The Director Of Medical And
Rural Health Services
3rd Floor, 108 Block, Dms
Campus, Anna Salai, Teynampet,
Chennai-600 006.

2.The Joitn Director Of Medical
And Rural Health Services,
3rd Floor, 108 Block, DMS
Campus, Anna Salai,
Teynampet, Chennai-600 006.

3.M/s.Priya Diagnostics And Ultra
Soudn Centre Private Limited,
Rep. By Its Managing Director
Vanaja Kaliraj, No.29, 1st
Avenue, Sasthri Nagar, Adayar,
Chennai-600 020.

4.Dr.Sindhuja Amalraj,



Villa 94, Casagrand Pallagio,
Thoraipakkam, Chennai-600 097.

5. The Joint Registrar,

Rural and Health Medical Services, Chengalpattu

[suo-motu impleaded vide order dated 29.07.2025 by NAVJ]

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the respondents 1 and 2 to restrain the 3rd and 4th respondents from carrying on diagnostic tests and medical procedures at the petition premises without having obtained the requisite valid license under the applicable provisions of Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 and for misusing the license issued to the petitioner under the act besides directing the respondents 1 and 2 to initiate appropriate penal action under the provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques (regulation and Prevention of Misuse) Act, 1994 against respondents 3 and 4 for unlawfully performing Pre-natal Diagnostic Techniques at the petitioners branches without possessing a valid license, thereby contravening the provisions of the act at the petitioners branches more fully described in the schedule of the writ petition.

For Petitioner(s): Mr.Ravi Ananda

Padmanaban for

Mr.M.Abdul Razack

For

Mr.E.Sundaram G.A. Takes

Respondent(s):

Notice For R1 And 2 and

R5

Mr.M.Vijayan

for Mr.Saikumaran for R3

and R4



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WP No. 23023 of 2025



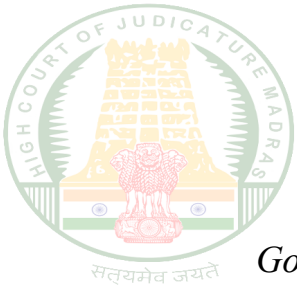
Pvt. Notice Permitted Proof
Filed Usr.19636

ORDER

The Joint Registrar, Rural and Health Medical Services, Chengalpattu, is suo-motu impleaded as the 5th respondent in this writ petition.

2. This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 and 2 to restrain the 4th respondent from carrying on the diagnostic tests and medical procedures at the petition mentioned premises without obtaining proper license under the applicable provisions of Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 and misusing the license issued to the petitioner under the Act and for a consequential direction to the respondents 1 and 2 to initiate appropriate penal action under the provisions of the Act against the respondents 3 and 4.

3. When the writ petition came up for hearing on 04.07.2025, this Court passed the following order:-



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When the matter was taken up for hearing today, learned Government Advocate appearing on behalf of respondents 1 and 2 produced the written instructions received from the second respondent. The relevant portion is extracted hereunder:

"I wish to state that Priya Diagnostic and Ultrasound Centre (P) Ltd., No.29, First Avenue, Shastri Nagar, Adyar, Chennai - 20 is registered in our office with S.No.007891, Reg.Nos:PNA/2621/2004. It is to note that the above license was issued on 20.07.2004 till 19.07.2024 in various instances.

The current application was submitted to this office on 09.01.2025 with a penalty fee paid for lapsed license and delay in renewal. The application states that the owner was Dr.Prasanth (MD Pathology). The Institution was inspected on 18.02.2025. Because of certain lapses found during inspection and by the remarks of the District Advisory Committee the license of the centre has been withheld till date. The original PCPNDT Act license certificate was also submitted by the centre only."

2. Learned counsel appearing on behalf of respondents 3 and 4 seeks for some time to file counter in this case.

3. Learned Senior Counsel appearing for the petitioner and learned counsel appearing for respondents 3 and 4 shall take instructions on the stand that has been taken by respondents 1 and 2 before this Court by means of written instructions.



Post this writ petition on 16.07.2025.

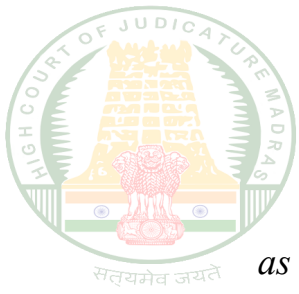
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3. The writ petition was thereafter taken up for hearing on 16.07.2025 and the following order was passed by this Court:-

Heard the learned Senior Counsel appearing on behalf of the petitioner. The learned Government Advocate appearing on behalf of the respondents 1 and 2 and the learned counsel appearing on behalf of the respondents 3 and 4.

2. Shorn of unnecessary details regarding the inter se dispute among the family members, the crux of the issue in the present writ petition pertains to the name in which the Diagnostic Centre is being run by the private respondents.

2. According to the learned Senior Counsel appearing on behalf of the petitioner, license has been granted in the name of Thoraipakkam Branch of M/s. OMR Priya Diagnostic Centre Private Limited, Kottivakkam Branch of M/s.OMR Priya Diagnostic Centre Private Limited and Kelambakkam Branch of M/s.OMR Priya Diagnostic Centre Private Limited, whereas the private respondents are doing business in the name of M/s.Priya Diagnostics and Ultrasound Centre Private Limited, Adyar, Chennai.



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3. According to the learned Senior Counsel, the license insofar as M/s.Priya Diagnostics and Ultrasound Centre Private Limited has already expired and it is yet to be renewed. Therefore, the private respondents are running the Diagnostic Centre in Thoraipakkam, Kottivakkam and Kelambakkam by utilising the licence that was given in the name of M/s.Priya Diagnostic and Scan Centre Private Limited.

4. Learned Government Advocate appearing on behalf of the respondents 1 and 2 shall take specific instructions as to the entity in whose name the licence was granted for Thoraipakkam, Kottivakkam and Kelambakkam. The learned Government Advocate shall also take instructions as to whether these three licenses are issued in the name of the entity and it also includes the names of the doctors and the machineries mentioned in the license.

5. The above clarity will enable this Court to pass final orders in this writ petition. Post this writ petition for hearing on **24.07.2025** under the same caption.

4. Pursuant to the above order, the matter was once again taken up for hearing on 24.07.2025 and the following order came to



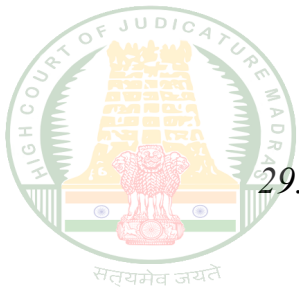
be passed by this Court.

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Pursuant to the earlier order passed on 16.7.2025, the Joint Directorate of Medical and Rural Health Services has given written instructions to the learned Government Advocate along with the relevant documents. It is stated that insofar as the diagnostic centre at Thoraipakkam, the application was submitted by OMR M/s.Priya Diagnostic Private Limited and the license was granted in the name of the said entity. Insofar as the diagnostic Centre at Kelambakkam, once again the application was submitted by OMR M/s.Priya Diagnostic Private Limited and the license was granted. Insofar as Kottivakkam is concerned, the application form was submitted by OMR M/s.Priya Diagnostic Private Limited and the license was granted in that name.

2.It will be more appropriate if the written instructions are converted into a position note and filed along with the relevant documents as additional typed set of papers. This will enable the learned counsel appearing on either side to make their submissions. An advance copy of the position note and additional typed set of papers shall be served to the learned counsel for the petitioner as well as the learned counsel for the 3rd and 4th respondents.

3.Post this writ petition under the caption 'for orders' on



29.07.2025.

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5. Pursuant to the above direction issued by this Court, position note along with typed set of papers has been filed by respondents 1 to 3. In the position note, it is stated as follows :-

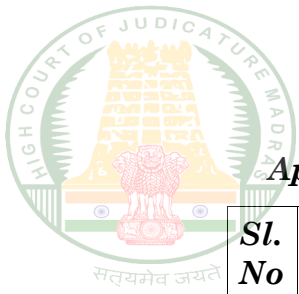
“I am to state that three Renewal applications were received by District Appropriate Authorities.

1.OMR Priya Diagnostic Centre Pvt., Ltd, No.82, 1st Main Road, Raju Nagar, Thoraipakkam, Chennai – 97.

The above centre license Registration Number : PNA/3480/2016 (Now Valid from 27.6.2021 to 26.6.2026). The license issued by District Appropriate Authority and Joint Director of Health Services, Kanchipuram District signed on 27.6.2021. The application form was submitted by OMR Priya Diagnostic Pvt., Ltd., and was verified and found that Mr.Karthick s/o Mr.Kaliraj has applied and paid for fees towards registration.

The following are the details of Doctor's authorized in the centre.

<i>Sl. No.</i>	<i>Doctors Name</i>	<i>Qualification</i>	<i>TNME Number</i>
1	DR.Rathna Priya	MBBS., MD (RD)	95706
2	DR.Alex Daniel Prabhy	MBBS., MD (RD)	75304
3	DR.Ashraf Ahmed	MBBS., MD (RD)	79591
4	DR.Sathish Dev	MBBS., MD (RD)	63871

**Approved Machines in FORM B (under rules 13)**

Sl. No	Ultra sound Machine Make	Model	Serial Number	Invoice No/Date	Supplier/Dealer Name
1	GE	Voluson – S10	VSX-201129	PI-611/22-23/2312 Dt.23.12.22	WIPRO GE

2.Kelambakkam Branch of OMR Priya Diagnostic Centre Pvt., Ltd, Flat C1, A Block, Sri Krishna Nagar Towers, Plot No.45/48, Sri Renugambal Nagar, Kelambakkam.

The above centre license Registration Number: **PNA/3655/2018** (Now valid from 11.1.2023 to 10.1.2028). The license issued by District Appropriate Authority and Joint Director of Health Services, Chengalpattu District signed on 24.2.2023. The application form submitted by **Kelambakkam Branch of OMR Priya Diagnostic Centre Pvt., Ltd**, was verified and found that Mr.Karthick s/o Mr.Kaliraj has applied and paid for fees towards registration.

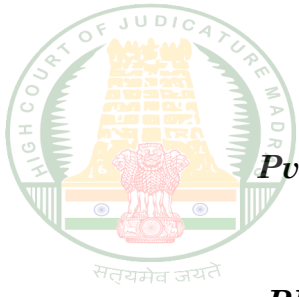
The following are the details of Doctor authorize in the centre.

Sl.No.	Doctors Name	Qualification	TNMC Number
1	DR.P.R.Rathna Priya	MBBS., MD (RD)	95706

Approved Machines in FORM B (under rules 13)

Sl.No	Ultra sound Machine Make	Model	Serial Number	Invoice No/Date	Supplier/Dealer Name
1	MINDRAY	DC - 60	8C78001420	227/9.3.18	Shree Imaging

3.Kottivakkam Branch of OMR Priya Diagnostic Centre



Pvt., Ltd, No.512, ECR Road, Kottivakkam, Chennai.

The above centre license Registration Number :PNA/3612/2017 (Now Valid from 6.7.2022 to 5.7.2027). The license issued by District Appropriate Authority and Joint Director of Health Services, Chengalpattu District signed on 10.11.2022. The application form submitted by **Kottivakkam Branch of OMR Priya Diagnostic Centre Pvt., Ltd.,** was verified and found that Mr.Karthick s/o Mr.Kaliraj has applied and paid for fees towards registration.

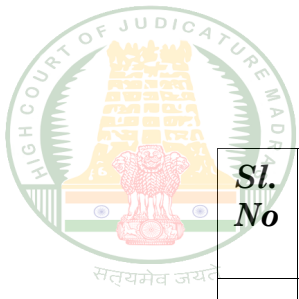
DR.R.Rathnapriya was originally applied for practice during 2017 and later on DR.Amalraj Sinduja has been applied for practice during 2022. The entry for 2022 was made in Form B **Annexure Certificate** and not in Form B. During 2017 the Form B was issued by for the Joint Director and During 2022 the Doctor endorsement was made by another Joint Director on 29.01.2022.

The following are the details of Doctor authorized in the centre.

Sl.No.	Doctors Name	Qualification	TNMC Number
1	DR.P.R.Rathna Priya	MBBS., MD (RD)	95706
2	DR.Amalraj Sindhuja	MBBS., MD (RD)	100334

Approved Machines in FORM B (under rules 13)

Sl. No	Ultra sound Machine Make	Model	Serial Number	Invoice No /Date	Supplier/ Dealer Name
1	MINDRAY	DC - N3	6D-37000819	21 / 28.8.13	Shree Imaging (Removed)

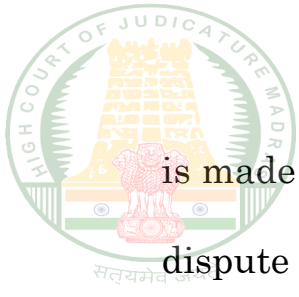


Sl. No	Ultra sound Machine Make	Model	Serial Number	Invoice No /Date	Supplier/ Dealer Name
					)
2	MINDRAY	DC-7	MX 32004618	118 / 7.8.2018	Shree Imaging

6. In the typed set of papers, the relevant forms have been annexed indicating the entity in whose favour the license was given.

7. This Court has carefully considered the submissions made on either side and the materials available on record.

8. The sum and substance of the grievance expressed by the petitioner is that the respondents 3 and 4 without having any license are running the diagnostic centres in three centres. They are misusing the license that was given in favour of the petitioner. Therefore, the petitioner has sought for action against the respondents 3 and 4. The position note has been filed before this Court by providing all the particulars. In view of the same, there shall be a direction to the respondents 2 and 5 to deal with the complaint given by the petitioner and respond to the same within a period of four weeks from the date of receipt of a copy of this order. It



is made clear that the respondents 2 and 5 will not go into the *interse* dispute between the petitioner and the respondents 3 and 4. That has to be agitated elsewhere. The only issue into which the respondents 2 and 5 will go into is as to whether the respondents 3 and 4 are running the diagnostic centre in three centres with proper license and whether the license issued to the petitioner is misused by the respondents 3 and 4 to run three diagnostic centers at Turaipakkam, Kelambakkam, and Kottivakkam.

9. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

29-07-2025

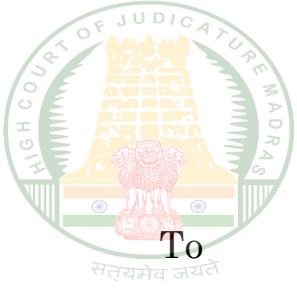
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

WEB C.T.N

1.The Director Of Medical And
Rural Health Services
3rd Floor, 108 Block, Dms
Campus, Anna Salai, Teynampet,
Chennai-600 006.

2.The Joitn Director Of Medical
And Rural Health Services,
3rd Floor, 108 Block, Dms
Campus, Anna Salai,
Teynampet, Chennai-600 006.

3.M/s.Priya Diagnostics And Ultra
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Rep. By Its Managing Director
Vanaja Kaliraj, No.29, 1st
Avenue, Sasthri Nagar, Adayar,
Chennai-600 020.

4.Dr.Sindhuja Amalraj,
Villa 94, Casagrand Pallagio,
Thoraipakkam, Chennai-600 097.



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