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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 24847 of 2025

Mrs.Sangitha Ragupathy

Petitioner(s)

Vs

1. National Medical Council of India
Phase-1, Dada Dev Mundir Rd,
Sector-8, Pocket 14 Dwarka
New Delhi-110 077

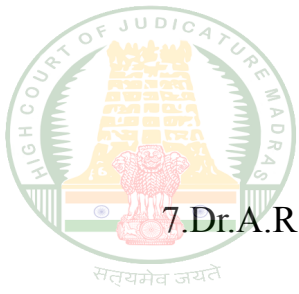
2.Tamilnadu Medical Counsel
No.959 and 960
Poonamallee High Road
Purasaiwakkam,
Chennai, Tamilnadu-600 084

3.Directorate of Medical and Rural Health Services DMS DMRHS,
361, DMS Complex, 3rd Floor,
Anna Salai, Teynampet, Chennai-18

4.Dr.T.N.Ravisankar

5.Dr.Suresh Kumar

6.Dr.Sathish (MS)



7. Dr. A.R Saravanan (Anesthetist)

8. Sasi Kumar (MS)

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to take a legal action against the 4th to 8th respondent (offenders) for their medical negligence and also take appropriate action against the Medical Institution namely SUDAR HOSPITAL situated at West Tambaram, Chennai and further requested to direct the 4th to 8th respondent to give Claimable Compensation to the petitioner for the physical, mental, and financial suffering which she had undergone due to Medical Practitioner negligence and that appropriate action to be taken to ensure justice.

For Petitioner(s): Mr. B. Manibharathi

For Respondent(s): Ms. Shubharanjani Ananth for R1
Mr. U. Baranidharan
Standing Counsel for R2
Mr. E. Sundaram
Government Advocate for R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the official respondents to take action against respondents 4 to 8 on the ground of medical negligence and for a further direction to respondents 4 to 8 to pay



compensation to the petitioner for the physical and mental agony undergone by the petitioner due to medical negligence committed by the Doctors.

2. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the 2nd respondent submitted that the representation was made before the 1st respondent as well as the 2nd respondent. On receipt of the representation from the petitioner, the 2nd respondent through Memorandum dated 27.12.2024, directed the concerned Doctors to submit their defence along with all the relevant documents. The petitioner was also called upon to give the details. Simultaneously, the 1st respondent through communication dated 10.01.2025, directed the 2nd respondent to act upon the complaint given by the petitioner. The learned Standing Counsel submitted that insofar as initiating action for professional misconduct, the jurisdiction is vested with the 2nd respondent.

3. The learned Government Advocate appearing on behalf of the 3rd respondent submitted that the petitioner has claimed for payment of



compensation and that the 3rd respondent cannot pass any such orders and the petitioner has to independently workout her remedy before the concerned forum.

4. Taking into consideration the facts and circumstances of the case and the materials placed before this Court and also considering the fact that the 2nd respondent has already initiated action based on the complaint given by the petitioner, there shall be a direction to the 2nd respondent to proceed further with the enquiry in line with the judgement of this Court in the case of ***Dr. P. Basumani vs. The Tamilnadu Medical Council rep. by its Registrar*** in W.P.No.12303 of 2021 dated 26.10.2021. Opportunity shall be given both to the petitioner as well as respondents 4 to 8. The 2nd respondent shall pass final orders, within a period of three months from the date of receipt of copy of this order.

5. Insofar as the compensation that is claimed by the petitioner, it is left open to the petitioner to either await for final decision taken by the 2nd



respondent, wherein, the alleged medical negligence will be dealt with by the

2nd respondent or in the alternative, it is left open to the petitioner to parallelly

initiate proceedings seeking for payment of compensation before the appropriate forum.

6. This writ petition is disposed of in the above terms. No Costs.

09-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



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N.ANAND VENKATESH J.

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