



W.P No.28940 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P No.28940 of 2024

A.Ramkumar

..... Petitioner

Vs

1.The Chairman

Tamil Nadu Medical Council
No.914, Poonamallee High Road
Amaravathi Nagar, Arumbakkam
Chennai, Tamil Nadu-600 106.

2.The Tagore Medical College and Hospital

Represented by The Dean
Tagore Medical College and Hospital
Vandalur-Kelambakkam Road
Rathinamangalam,
Chennai-600 127.

..... Respondents

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the order dated 30.04.2024 passed by the 1st respondent and quash the same and direct the 1st respondent to take appropriate action against the 2nd respondent for Medical Negligence as per law.

Page 1 of 5



W.P No.28940 of 2024

For Petitioner : Mr.A.R.Sindhu
For R1 : Mr.U.Bharanidharan
Standing Counsel
For R2 : Mr.M.Devivanandam

ORDER

This writ petition has been filed, challenging the impugned order dated 30.04.2024 passed by the 1st respondent and to direct the 1st respondent to take appropriate action against the 2nd respondent for Medical Negligence as per law.

2. The case of the petitioner is that the petitioner's mother was admitted in the 2nd respondent's Hospital for UTI and ultimately, she was turned into a coma and now vegetative state due to the medical negligence of the 2nd respondent. Therefore, the petitioner made a complaint as against the 2nd respondent before the 1st respondent/Tamil Nadu Medical Council. However, the 1st respondent closed the complaint stating no medical negligence on the part of the 2nd respondent. Challenging the same, the present writ petition is filed.



W.P No.28940 of 2024

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3. However, the learned counsel for the petitioner would submit that for the very same medical negligence, the petitioner had approached the District Consumer Disputes Redressal Commission, Chengalpattu, seeking compensation and the said Commission passed an order in favour of the petitioner, awarding a sum of Rs.50,00,000/- as damages towards monetary loss and mental agony suffered by the petitioner. The petitioner has already filed an appeal before the State Commission seeking enhancement of compensation. Similarly, the second respondent has filed an appeal challenging the order of the District Consumer Forum before the State Commission. Therefore, this Court may close the writ petition, observing that the State Commission shall decide the appeals independently, without being influenced by the observations made in the present impugned order.

4. The learned counsel appearing for the respondents have no objection to the submission made by the learned counsel for the petitioner.



W.P No.28940 of 2024

5. In view of the above, the Tamil Nadu State Consumer Redressal

Commission, Chennai, is required to decide the issue raised in the appeal independently, without being influenced by the impugned order, and to pass appropriate orders. Accordingly, this writ petition stands disposed of. No costs.

31.10.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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M.DHANDAPANI, J.

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To

1.The Chairman

Page 4 of 5



W.P No.28940 of 2024

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