



W.P.No.33918 of 2025 etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 17-09-2025

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP Nos. 33918, 34282, 35726, 35733, 35734 and 35786 of 2025
AND WMP NOs. 38435, 39987, 39994, 39997, 40036, 40037 and 40038 of 2025

W.P.No.33918 of 2025:

Abirami Kidney Care Private Ltd.,
Rep. By its Authorised Signatory,
Near Ravi Theater,
Erode- 638 011.

...Petitioner

Vs.

1. The State Of Tamilnadu
Rep . By The Principal Secretary to Government Health and Family Welfare Department,
Secretariat,
Fort St.George,
Chennai- 09
2. The Director Of Medical And Rural Health Services,
Dms Campus, Anna Salai,
Teynampet,
Chennai 06.
3. The Authorisation Committee,(Transplantation)
Rep. By The Chairman

Directorate of Medical Education

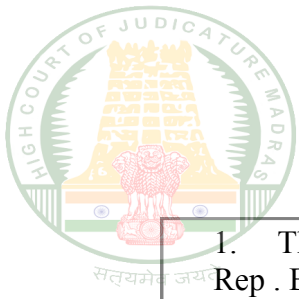
162, EVR Periyar Salai, Kilpauk, Chennai-10
...Respondents

W.P.No.34282 of 2025:

Shanmugam K.K.

...Petitioner

Vs.

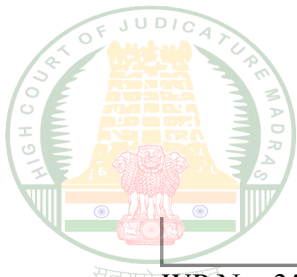


W.P.No.33918 of 2025 etc., batch

1. The State of Tamilnadu Rep . By the Principal Secretary to Government , Health And Family Welfare Department, Secretariat, Fort St.George Chennai 09. 2. The Director Of Medical And Rural Health Services Dms Campus Anna Salai, Teynampet, Chennai 06 3. The Authorisation Committee, Rep. By The Dean, Coimbatore Medical College, Hospital, Coimbatore -18 4. Abirami Kidney Care Private Limited Rep. By Its Authorized Signatory , No. 581 582 Brough Road, Near Ravi Theater, Erode -638 011. Respondents	
W.P.No.35726 of 2025: K.Gunaselvi No. 1/246 Poomalai Nagar, Mettala Rasipuram, Karkoodalpatti, Rasipuram Namakkal 636 202 Petitioner	

Vs

1. The State of Tamilnad Rep . by The Principal Secretary To Government , Health And Family Welfare Department, Secretariat, Fort St.George, Chennai- 09. 2. The Director of Medical And Rural Health Services, DMS Campus Anna Salai, Teynampet , Chennai- 06 3. The Authorisation Committee, Rep. By The Dean, Coimbatore Medical College, Hospital, Coimbatore -18 4. Abirami Kidney Care Private Limited Rep. By Its Authorized Signatory , No. 581 582 Brough Road, Near Ravi Theater, Erode- 638 011	
--	--



W.P.No.33918 of 2025 etc., batch

..Respondent(s)

WP No. 35733 of 2025

Mohamed Ali J
No. 290 Tiruppur Road, Kangeyam Tiruppur Tamil Nadu 638
701

..Petitioner(s)

Vs

The State of Tamilnadu
Rep . By The Principal Secretary To Government , Health
And Family Welfare Department, Secretariat, Fort St.George
Chennai 09

2. The Director of Medical And Rural Health Services
Dms Campus Anna Salai, Teynampet, Chennai 06
3. The Authorisation Committee,
Rep. By The Dean, Coimbatore Medical College,
Hospital, Coimbatore 18
4. Abirami Kidney Care Private Limited
Rep. By Its Authorized Signatory , No. 581 582
Brough Road, Near Ravi Theater Erode 638 011

..Respondent(s)

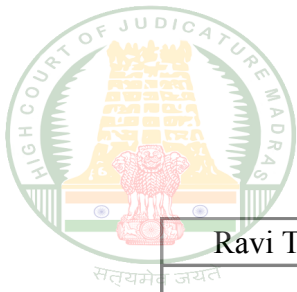
WP No. 35734 of 2025

Poovarasan Gurusamy

..Petitioner(s)

Vs

1. The State of Tamilnadu
Rep . By The Principal Secretary To Government , Health And Family
Welfare Department, Secretariat, Fort St.George Chennai 09
2. The Director of Medical And Rural Health Services
Dms Campus Anna Salai, Teynampet Chennai 06
3. The Authorisation Committee,
Rep. By The Dean, Coimbatore Medical College, Hospital,
Coimbatore 18
4. Abirami Kidney Care Private Limited
Rep. By Its Authorized Signatory , No. 581 582 Brough Road, Near



W.P.No.33918 of 2025 etc., batch

Ravi Theater Erode 638 011		
		..Respondent(s)
W.P.No.35786 of 2025: Abirami Kidney Care Private Limited Rep. By Its Authorized Signatory , No. 581 582 Brough Road, Near Ravi Theater, Erode 638 011 		

Prayer in W.P.No.34282 of 2025: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to permit the petitioner to undergo Kidney Transplantation surgery in the 4th respondent hospital, pursuant to the approval granted by the 3rd respondent vide its Approval ref . No. 170/ E8/ 2025 dated 29.05.2025.

Prayer in W.P.No.33918 of 2025: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to permit the petitioner to conduct surgeries in relation to kidney in pursuance to the registration under the Human Organ Transplantation Act 1994 in Registration No.375 of 2019 and by virtue of the proceeding issued in Na.Ka.No.14611/CEA1/1/2025 dated 29.08.2025 by the second



W.P.No.33918 of 2025 etc., batch

respondent revoking the temporary cancellation of license under the Tamil Nadu Clinical Establishment Act.

WEB COPY

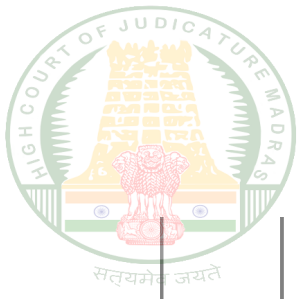
Prayer in W.P.No.35726 of 2025: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to permit the petitioner to undergo Kidney Transplantation surgery in the 4th respondent hospital, pursuant to the approval granted by the 3rd respondent vide its Approval ref . No. 170/ E8/ 2025 dated 8.05.2025.

Prayer in WP No. 35733 of 202: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to permit the petitioner to undergo Kidney Transplantation surgery in the 4th respondent hospital, pursuant to the approval granted by the 3rd respondent, vide its Approval ref . No. 170/ E8/ 2025 dated 24.04.2025.

Prayer in WP No. 35734 of 2025: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to permit the petitioner to undergo Kidney Transplantation surgery in the 4th respondent hospital, pursuant to the approval granted by the 3rd respondent vide its Approval ref . No. 170/ E8/ 2025 dated 26.06.2025.

Prayer in W.P.No.35786 of 2025: The writ petition has been filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the issuance of the proceeding in Na.Ka.No.012815/E7/1/2025 dated 02.07.2025 on the file of the second respondent and quash the same.

	For Petitioner(s):	Dr. M P H Manoj Pandian in W.P.Nos.35726, 35733, 35734 & 34282 of 2025 Mr.Abdul hameed For M/s.AAV Partners In W.P.Nos.35786 & 33918 of 2025	
	For Respondent(s):	Mrs.M.Sneha RR1 to 3 Mr.Abdul Hameed, Sr.C For M/s.AAV Partners R4	



W.P.No.33918 of 2025 etc., batch

In W.P.no.35726, 35733 & 35734 of 2025

Mrs.M.Sneha in W.P.No.35786, 33918 and 34282 of 2025

COMMON ORDER

Since the issue involved in the entire writ petitions are one and the same, the same are disposed by this common order.

2. W.P.Nos.35726, 35733, 35734 and 34282 of 2025 has been filed by the petitioners, who are affected with kidney ailments, seeking a direction to the second respondent to permit the petitioners to undergo Kidney Transplantation Surgery in the 4th respondent hospital, pursuant to the approval granted by the third respondent.

3. W.P.Nos.33918 and 35786 of 2025 have been filed by the petitioner Hospital seeking to quash the proceedings issued by the second respondent temporarily cancelling the license and to revoke the same and to permit the petitioners to conduct surgeries in relation to kidney in pursuance to the registration under the Human Organ Transplantation Act, 1994.

4. The learned counsel for the petitioner in W.P.Nos.35726, 35733, 35734 and 34282 of 2025 submitted that the petitioner in all the writ petitions are diagnosed with kidney failure and recommended for Kidney Transplantation procedure by the 4th respondent Hospital viz., Abirami Kidney Care Private Ltd. The third respondent/Dean, Authorization Committee has accorded approval to the petitioners to undergo the Kidney Transplantation procedure and



W.P.No.33918 of 2025 etc., batch

also permitted the 4th respondent hospital to perform the said procedure. In the meanwhile, the second respondent vide order dated 02.07.2025, had cancelled the license and suspended the organ transplantation procedure to be continued in the 4th respondent hospital. Thereafter, the second respondent vide order dated 29.08.2025 revoked the cancellation of license of the 4th respondent hospital. However, the second respondent has failed to revoke the order suspending the organ transplantation. The approval of the authorization committee is expiring very soon and any delay in the transplantation procedure will lead to severe health complications for the petitioners/patients. Hence, the learned counsel prays that this Court may direct the second respondent to permit the 4th respondent hospital to carry out the Kidney Transplantation procedure to the petitioners.

5. The learned counsel for the Hospital submitted that the petitioner hospital is registered under the Human Organ Transplantation Act 1994 for transplantation of liver and kidney and has a valid registration certificate. Based on false allegations, the license for organ transplantation procedure was cancelled. Pursuant to various representations, dialysis unit was permitted to be operated from 14.07.2025. In the above stated scenario, it is prayed that this Court may direct the second respondent to grant permission to the petitioner Hospital to carry out the Kidney Transplantation procedure.

6. The learned Standing Counsel appearing for the respondents submitted that an enquiry committee conducted enquiry at the petitioner Hospital on 18.07.2025 as per instructions given by the first respondent, dated 04.06.2025 and found out that there was no mention of any irregularities at the petitioner Hospital.



W.P.No.33918 of 2025 etc., batch

WEB COPY

7. Heard the learned counsel for the petitioner in W.P.Nos.35726, 35733, 35734 and 34282 of 2025 and the learned Standing Counsel appearing for the respondents and the learned counsel appearing for the Hospital in W.P.Nos.33918 and 35786 of 2025 and perused the materials available on record.

8. This Court perused the report filed by the learned Standing Counsel appearing for the respondents. On perusal of the same, it is seen that the Special investigation team conducted detailed enquiry on Kidney Transplants and submitted its reports on 15.09.2025 stating that there was no irregularities relating to Kidney Transplantation procedure at the petitioner Hospital.

9. In view of the report filed by the Special Investigation Team and the submission of the learned Standing Counsel for the official respondents, this Court permits the petitioner Hospital to perform the surgeries for kidney transplantation alone to the patients who are waiting for Kidney transplantation and continue to perform the surgeries for kidney transplantation by following the procedures contemplated under the Human Organ Transplantation Act, 1994 if there is no restraint order from the respondents.

10. With the above directions, all the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

17-09-2025



W.P.No.33918 of 2025 etc., batch

Notice: Issue order copy on 17.09.2025

WEB COPY



W.P.No.33918 of 2025 etc., batch

WEB COPY

To

1. The State Of Tamilnadu
Rep . By The Principal Secretary To Government , Health And Family Welfare
Department, Secretariat, Fort St.George Chennai 09
2. The Director Of Medical And Rural Health Services
Dms Campus Anna Salai, Teynampet Chennai 06
3. The Authorisation Committee,
Rep. By The Dean, Coimbatore Medical College, Hospital, Coimbatore 18



WEB COPY



W.P.No.33918 of 2025 etc., batch

M.DHANDAPANI J.

RLI

WP Nos. 33918, 34282, 35726, 35733,
35734 and 35786 of 2025

17-09-2025