



W.P. No.39272 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.39272 of 2025

Rajavigneshwaran

... Petitioner

VS.

1. The District Collector,
Thanjavur District,
Collectorate,
Thanjavur - 613001.

2. The Deputy Director of Health Services,
Gandhiji Road,
Thanjavur - 613000

3. The Tamil Nadu Medical Counsel,
No. 959, and 960 Poonamallee High Road,
Purasaiwakkam, Chennai.

4. Dr. R. Mahalakshmi,
Chief Doctor,
Meenakshi Maternity & Women Care Centre,
33, Thirunarayanapuram East, Four Road,
Kumbakonam – 612 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the Respondents 1 to 3 consider the representation dated 15.05.2025 and 23.06.2025 of petitioner to examine and take appropriate action against 4th Respondents under the Tamil Nadu Clinical Establishments (Regulation) Rules, 2018 for medical negligence direct 4th Respondents to pay compensation of Rs.1,00,00,000 (Rupees One Crore only) to the Petitioner's wife for the mental, physical, and financial losses suffered.

For Petitioner : Ms.T. Dharani



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W.P. No.39272 of 2025

For Respondents : Mr.M. Rajendiran
Addl. Govt. Pleader for R1 to R3

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ORDER

Mr.M. Rajendiran, learned Additional Government Pleader, takes notice for the respondents 1 to 3. As no adverse order is passed against the 4th respondent, notice to the 4th respondent is dispensed with. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. It is the grievance of the petitioner that due to the medical negligence on the part of the 4th respondent, his wife's pregnancy was aborted. It is his case that, despite the critical nature of an intrauterine fetal demise, which warranted close medical supervision and immediate hospitalisation to avoid serious complications, the petitioner's request for prompt admission was refused by the 4th respondent, which clearly indicates that the act was done in a negligent manner. He further stated that the delayed hospitalisation and the serious lapse in duty on the part of the 4th respondent exposed his wife to grave medical risks, ultimately resulting in the loss of pregnancy.



3. In the above circumstances, the petitioner submitted detailed representations to the official respondents on 15.05.2025 and 23.06.2025, narrating the entire incident and requesting them to initiate appropriate disciplinary and penal action against the 4th respondent. Pursuant to the said representations, the 3rd respondent, vide communication dated 23.05.2025, sought an explanation from the 4th respondent. Further, the 2nd respondent had also forwarded the petitioner's representations to the 1st respondent for necessary action. It is the further case of the petitioner that, on account of the medical negligence of the 4th respondent, he sought compensation to the tune of Rs.1,00,00,000/-. However, till date, no further action has been taken, nor has any compensation been paid to the petitioner. Hence, he is constrained to approach this Court by filing the present writ petition, seeking an efficacious remedy.

4. Learned counsel for the petitioner would submit that due to the medical negligence of the 4th respondent, the petitioner's wife suffered a lot, which resulted in abortion. He would further submit that the petitioner had made detailed representations to the official respondents, seeking disciplinary and penal action against the 4th respondent, but no effective steps have been taken



W.P. No.39272 of 2025

till date. In the light of the above, he prayed before this Court for issuance of appropriate directions to the official respondents to consider the petitioner's representations, dated 15.05.2025 and 23.06.2025 as well as sought compensation for the sufferings and mental agony suffered by the petitioner's family.

5. Learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the official respondents have already called for an explanation from the 4th respondent pursuant to the petitioner's representations, and necessary action, if warranted, will be taken by the 2nd and 3rd respondents. However, this Court may issue suitable directions in the above regard to the 2nd respondent.

6. In view of the fair submissions made by the learned Additional Government Pleader appearing for respondents 1 to 3, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representations dated 15.05.2025 and 23.06.2025 as well as petitioner's claim for compensation, and pass orders on merits and in accordance



W.P. No.39272 of 2025

with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

22.10.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To

1. The District Collector,
Thanjavur District,
Collectorate,
Thanjavur - 613001.

2. The Deputy Director of Health Services,
Gandhiji Road,
Thanjavur - 613000

3. The Tamil Nadu Medical Council,
No. 959, and 960 Poonamallee High Road,
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W.P. No.39272 of 2025

M.DHANDAPANI, J.

vsi2

W.P. No.39272 of 2025

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