



W.P.(MD)No.1398 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.1398 of 2025
and WMP(MD)No.986 of 2025

Maheswari Sudalaimani

... Petitioner

- Vs. -

1. The State of Tamil Nadu,
Represented by the Principal Secretary,
Health and Family Welfare,
Secretariat,
Chennai 600 009.

2. The Director,
Directorate of Health and Family Planning,
Chennai 600 018.

3. The District Collector,
Thoothukudi District.

4. The Joint Director,
Health and Family Welfare Department,
Thoothukudi District.

5. The Deputy Director,
Medicine, Rural Development and Family Welfare Department,
Thoothukudi, Thoothukudi District.

6. The Government Duty Doctor,
Government Hospital,
Kovilpatti, Thoothukudi District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay Rs.25,00,000/- (Twenty Five Lakhs only) towards compensation to the petitioner for the medical negligence caused to her resulting in lifetime financial constraint and challenges caused to the petitioner and her family for the upbringing of petitioner's 3rd child to be born resulting from failed sterilization operation conducted by the 6th respondent by considering the petitioners representation dated 04.01.2025 addressed to all the respondents within the time framed as fixed by this Court.

For Petitioner : Mr.P.Bhaskar
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

This writ petition has been filed for a direction to the respondents to pay Rs.25,00,000/- (Twenty Five Lakhs only) towards compensation to the petitioner for the medical negligence.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.



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3. Without expressing any opinion on the merits of the matter, this Court directs the fifth respondent to consider the representation of the petitioner dated 04.01.2025 in the light of G.O(Ms.)No.173 dated 03.04.2020 issued by the Health and Family Welfare (R2) Department, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

20.01.2025

Index : Yes / No
NCC : Yes / No
CM



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G.K.ILANTHIRAIYAN, J.

CM

Order made in
W.P.(MD)No.1398 of 2024
and WMP(MD)No.986 of 2025

Dated:
20.01.2025